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COMMISSION OF INQUIRY INTO THE
USE OF DRUGS AND BANNED PRACTICES
INTENDED TO INCREASE ATHLETIC PERFORMANCE

B E F O R E:

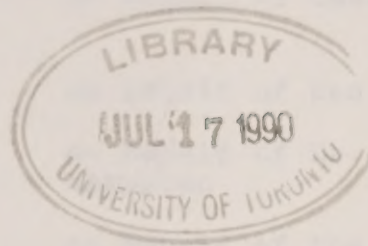
THE HONOURABLE MR. JUSTICE CHARLES LEONARD DUBIN

HEARING HELD AT 1235 BAY STREET,
2nd FLOOR, TORONTO, ONTARIO,
ON MONDAY, APRIL 3, 1989

VOLUME 31

NETWORK COURT REPORTING

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VOLUME 31

(i)

C O U N S E L:

ROBERT ARMSTRONG, Q.C. MS. K. CHOWN	on behalf of the Commission
R. McMURTRY A. PRATT	on behalf of Charles Francis
E. FUTERMAN	on behalf of Ben Johnson
MR. LEVINE	on behalf of Dr. M. G. Astaphan
THOMAS C. BARBER	on behalf of the Sport Medicine Council of Canada
A. PREFONTAINE, Esq.	on behalf of the Government of Canada
J. PORTER	on behalf of the College of Physicians and Surgeons of Ontario
ROGER BOURQUE	on behalf of the Canadian Track and Field Association
D. MANN	on behalf of the Canadian Olympic Association
C. ASHBY	on behalf of Bishop Dolegiewicz



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---Upon resuming

THE COMMISSIONER: Mr. Sharpe. Will you swear the witness, please. Mr. Armstrong?

5 MR. ARMSTRONG: Yes, thank you, Mr. Commissioner. The next witness in the track and field phase is Mr. Tony Sharpe and he is here ready to be sworn.

THE COMMISSIONER: Thank you.

10 JOHN ANTONIO ALEXANDER SHARPE: Sworn

MR. ARMSTRONG: Will you sit there for a moment, Mr. Sharpe? The cameras will be leaving in a moment but they're going to have a minute or two, I guess.

15 THE COMMISSIONER: Okay, that's good enough. All right. Thank you. All cameras out now, Mr. Registrar. Mr. Armstrong?

MR. ARMSTRONG: Thank you, Mr. Commissioner.

20 EXAMINED BY MR. ARMSTRONG:

Q. Mr. Sharpe, I wanted to spend a few minutes with you at the beginning, as I have with other witnesses, asking you some questions about your background.

25 First of all, can you tell the Commissioner

when you were born and where you were born, please?

A. Jamaica, 1961, June 28th.

Q. All right. And when was it you came to Canada from Jamaica?

5 A. September 1972.

Q. And I understand that in addition to yourself living in Canada, your mother and four sisters also live here at the present time?

A. That's right.

10 Q. And then I wanted to take a moment to go through your track career and the various schools that you attended in Toronto. I take it that all of the time that you have been in Canada, you have lived in the -- in Metropolitan Toronto?

15 A. That's right.

Q. And you first attended school in Toronto at a separate school called Lady of Guadeloupe?

A. Our Lady of Guadeloupe.

20 Q. Our Lady of Guadeloupe. And you attended Grades 5 throughout -- through 8 at Our Lady of Guadeloupe and at that time, began the beginnings of your track career running both the 100 and 200 metres?

A. That's right.

25 THE COMMISSIONER: How old are you then, Mr. Sharpe.

THE WITNESS: I would imagine, 11 -- 10, 11 years old.

MR. ARMSTRONG:

5 Q. And then for Grades 9 and 10, you attended Senator O'Connor School in Don Mills where, again, you ran in the 100 and 200 metres and occasionally in the 400 metres?

A. That's right.

10 Q. And then next you went for a brief semester to Lamaroux Collegiate and then moved on to Steven Leacock High School in Scarborough where you attended Grades 11 and 12 and again ran in the 100, 200 metres and also from time-to-time the 400 metres?

15 A. That's right.

Q. All right. And as I understand it, at least in the 100 and 200 metres, when running at the high school level, you never lost a race?

A. Not that I can recall.

20 Q. All right. That's a good kind of recollection to have. Perhaps I should have included the 400 metres. Did you win all the 400 metre races as well?

A. I usually never ran them when they got real competitive because, you know, I didn't want to
25 jeopardize my chances in my specialties, right?

Q. And then we'll be coming back to this later but after your graduation from high school, you attended Clemson University for, what was it, two terms?

A. Yes, two semesters.

5 Q. All right. And at some stage during

THE COMMISSIONER: Were you on a scholarship there?

10 THE WITNESS: Yes, I was on an athletic scholarship there. But I was also funded by Sport Canada at the same time. I don't ---

THE COMMISSIONER: Was the scholarship a Clemson scholarship, you were using?

THE WITNESS: I think Clemson paid.

15

MR. ARMSTRONG:

20 Q. We're going to come back to your year at Clemson. I take it, just picking up that, that you were indeed on a full track scholarship where your tuition and food and ---

A. Everything was taken care of.

Q. Everything was taken care of as a student?

A. That's right.

25 Q. And, but presumably, as you've

indicated, you were also carded at the same time so that probably would look after your time during the summer?

A. That's right.

5 Q. And also I understand that one of the problems that we don't always hear about, about U.S. track scholarships, they don't provide --although from one point of view they're quite generous, they don't provide any extra money. It's just food, tuition, books and room?

A. That's right.

10 Q. All right. Now, it was in about 1977, as I understand it, that you joined the Scarborough Optomist Track Club?

A. Correct.

15 Q. And you started as a midget with the Scarborough Optomist Club under coach, Peter Cross?

A. That's right.

Q. And you might just ---

THE COMMISSIONER: You mean the class, midget class. He wasn't a midget.

20 MR. ARMSTRONG:

Q. Yes. One should make that distinction. All right then, Mr. Sharpe, as -- you might just take a moment and explain for us, although I think it's becoming
25 clearer, that certainly in the Metropolitan Toronto areas

athletes like you that began to excel in track and field would inevitably link up with a track and field club, am I right?

5 A. That's right. Particularly if you're a sprinter, naturally you'd go to Scarborough Optomist.

 Q. And in your case, from 1977 on, you were really associated and affiliated with the Scarborough Optomist Track and Field Club and, in a sense, although you ran for your school, your school track and field team
10 was incidental to your association with the Scarborough Track and Field Club. Is that putting it fairly?

 A. That's right.

 Q. So that although you would be training under Peter Cross and, subsequently as we'll hear, Charlie Francis with the Scarborough Track And Field Club, when
15 you were still in high school, you would simply enter the high school meets when your various high school coaches would ask you to go and compete?

 A. That's right.

20 Q. And indeed, I think you told me that the school meets typically would end in early June and from that point on, you'd be running with your club over the course of June, July, August and indeed into the early fall, is that correct?

25 A. Yes, that's right.

Q. Then you ran with Peter Cross, as your coach, for two seasons. As I understand it, when you went into Scarborough as a midget class runner, you won the nationals in the 100 metres?

5 A. That's right.

Q. And then in the fall of 1977, was it Peter Cross left and -- or, perhaps it was '78, left and went to Clemson as a track coach?

A. Yes, he left and went to Clemson.

10 Q. And it was at that point in time that Charlie Francis became your coach?

A. That's right.

15 Q. And then was it in about 1978, under Charlie Francis, that you began through the Scarborough Optomist Track and Field Club to compete internationally?

A. Correct.

Q. And indeed when you went to Europe in 1978 with the Scarborough Optomist Track and Field Club on a tour, you were the youngest member of that team?

20 A. That's right.

Q. And you ran that year as either a juvenile or a junior, I think when you and I talked about this you weren't sure whether you were still a juvenile or a junior but, in any event, in whatever class you were in, 25 in 1978, you were ranked number one in the world in the

100 metres?

A. Yes. At that age, I was 17 years old, and I had ran 10.52.

Q. And that was at that meet in West
5 Germany where indeed the second place time was well over 11 seconds, am I right?

A. That's right.

Q. All right. And you were chosen the most valuable athlete in the meet?

10 A. That's right.

Q. And then moving along to the 1979 season, you won both the national indoor -- you won the National Indoor Championships in Edmonton in what, both the 100 and the 200 metres?

15 A. The indoor would have been 60 metres.

Q. Oh, that's right. I'm sorry. In the 60 metres. And you became the National Indoor Champion that year?

A. Yes.

20 Q. You were, when we were discussing this, you were charitable enough to note that at that time Desai Williams was in Clemson which perhaps was significant from your point of view, at that time?

A. At that time, yes.

25 Q. And then another highlight of the 1979

season was, at the indoor level, was an indoor meet against Russia and Montreal where in one of the sprints, I assume the 60 metres, you placed second in a photo finish?

A. That's right.

5 Q. And then going to the outdoor season, you were part of the Canadian Pan American Games team, am I correct?

A. That's right.

Q. And you ---

10 THE COMMISSIONER: What year is this, now?

MR. ARMSTRONG: 1979 outdoor season.

THE COMMISSIONER: Thank you.

MR. ARMSTRONG:

15 Q. And indeed for the -- still a fairly young athlete, you were second at the trials in both the 100 metres and 200 metres, the -- and second to Desai Williams?

A. Yes.

20 Q. And then in Puerto Rico, you ran in the 200 metres in the Pan American Games and made the semi-final?

A. That's right.

25 Q. Now, moving along, if I can, to Clemson, I assume that it was in about the fall of 1979

that for -- either your interest turned to the United States and I understand that a number of American schools expressed interest in you as a track athlete attending their schools and running for their school teams, is that so?

A. That's right.

Q. And you were then, as we have indicated, offered a full track scholarship at Clemson and I understand you really chose Clemson because your old coach, Peter Cross, was already there as one of the track coaches of Clemson?

A. That's right.

Q. Now, did somebody else go down to Clemson with you from the Scarborough Optimist Track and Field Club?

A. Yes, it was myself and Mark McKoy.

Q. And indeed, just stopping there for a moment, during the course of your track career, you and Mark McKoy were close friends, as I understand it, and you went to some of the same schools, both obviously --

A. Yes, we both grew up in the separate school systems, so, initially, we compete against each other in, like, Grade 4 and Grade 5 and we ended up having the same high school together and we became pretty good friends from there and continued on to Clemson together.

Q. And, indeed, in a sense ---

MR. FUTERMAN: Excuse me, Mr. Commissioner,
I am having a little trouble hearing.

THE COMMISSIONER: Yess, will you get a
5 little bit -- a little closer to the mike there, Mr.
Sharpe? Pull your chair up, just a bit? But, be
comfortable.

MR. ARMSTRONG:

10 Q. Then in any event, the two of you as
close friends and members of the Scarborough Optimist
Track Club, both went down to Clemson in, what was it,
January of 1980?

A. January of 1980, yes.

15 Q. And during the time at Clemson, did you
run some indoor meets?

A. Yes, we started competing in January
for Clemson.

20 Q. And what events did you run in, in the
U.S. Intercollegiate Indoor circuit?

A. We ran a lot of relays and some
individual but generally it was a lot of relays.

Q. When you ran the individual events,
what was it, the 60?

25 A. Sometimes 60. From 60 up to 300

metres, it would go.

Q. All right. And were there -- were there any other Canadians down at Clemson when you and McKoy arrived down there?

5 A. Well, Desai, you mentioned earlier, was there and along with Raymond Daley, David McKnight and a few of the Canadians.

10

15

20

25

Q. Okay. Were these individuals that you mentioned were they all members of or former members of Scarborough Optimists?

5 A. They were all still members of Scarborough Optimists.

Q. So that would Raymond Daley, Desai Williams, Dave McKnight. Was there also Cornell Messum?

A. That's right.

10 Q. Was he a Canadian and member of the Scarborough Optimist Track and Field team?

A. Yes, I believe he was a member of our club. He was a sprinter, so I am not sure.

Q. What was his event?

A. 800 meter events.

15 Q. In any event, it looks like the Canadians in a sense formed the core of the Clemson track team in this period; am I right?

A. That's right.

20 Q. Okay. Then in the outdoor season at Clemson, you went to the NCCA National Championships in Austin, Texas; and what events did you compete in there?

A. I had just -- I was just coming off an injury so I ran the relay.

25 Q. All right. Then presumably in the summer of 1980 you came back to Toronto and joined your

Scarborough Optimists track team and competed with them for the summer, did you?

A. Yes, that's right.

Q. And 1980 we know was an Olympic year.

5 And did you participate in the Olympic trials in Montreal in 1980?

A. I did, yes.

Q. Did you make the 1980 Canadian Olympic team?

10 A. That's right, I did.

Q. In what events?

A. In the 100, and 200, and the relay as well.

15 Q. All right. So, you were a member then of the 1980 Canadian Olympic Track and Field team of the 100 meters, 200 meters, and 4 X 100 meters relay?

A. That's right.

Q. All right. And who were the other members of the relay team; do you recall?

20 A. There was myself, Desai, Ben, and Marvin Nash I think was the fourth member.

Q. And again all of you I take it at that time would have been associated with the Scarborough Optimists Track and Field team?

25 A. That's right.

Q. Then, we, of course, know that Canada among other countries did not participate in the 1980 Moscow Olympics. We know from the earlier evidence that we have heard that there were some alternative Olympic
5 meets, one at Stuttgart in West Germany, the other in Philadelphia. Did you attend those alternative Olympic meets?

A. That's right, I competed in those.

Q. At Stuttgart, did you make -- you made
10 the finals in at least one of the events that you were entered in; am I right?

A. Yes, I ran the 100 at Stuttgart.

Q. You made the finals in the 100?

A. That's right.

Q. All right. And you also attended the
15 Philadelphia meet?

A. That's right.

Q. Do you recall how that turned out?

A. No, I don't; I don't remember how I
20 did.

Q. All right. And then you went back to Clemson, as I understand it, in August, as I believe the American schools tend to start a little earlier than Canadian schools. So, you went back for the beginning of
25 the fall term in August of 1980 at Clemson?

A. That's right.

Q. But you then came back to Canada briefly after you had already been down to Clemson to participate in something called the Junior Pan-American Games in Sudbury?

5

A. Yes, that's right.

Q. And during the Junior Pan-American Games in Sudbury, you finished third in the 100 meters?

A. That's right.

10

Q. And in that meet, Carl Lewis and Calvin Smith did compete in the --

A. That's right.

Q. -- same event?

15

A. I think Carl Lewis won, I am not sure if Calvin was in second place or not.

Q. All right. Now, as it turned out, Peter Cross in December of 1980, taking you back to Clemson now, in December of 1980, Peter Cross, as I recollect it, quit as a track coach at Clemson?

20

A. That's right.

Q. And I understand that you and Mark McKoy at least, and perhaps others, were not all that happy with your stay in Clemson; am I right?

A. That's right.

25

Q. And I understand that as a result of a

combination of factors, not being particularly happy with being at Clemson, and with Peter Cross himself leaving, that you and Mark McKoy made a decision to come back home to Canada?

5 A. That's right.

Q. All right. Did anybody else come home at that time?

A. I think Williams came back, and McKnight.

10 Q. All right. In any event, by the winter months of 1981, you were back in Toronto running for the Toronto Scarborough Optimists team?

A. That's right.

15 Q. And I believe you also at that time, or perhaps it was later, enrolled in York University?

A. That's right.

Q. And did you over the period of time run for the York University track team as well?

A. I did.

20 Q. And presumably that again would be really on the same basis as you are running for your local high school, that your affiliation and regular training was really under Charlie Francis --

A. That's right.

25 Q. -- and the Scarborough Optimists track

team, but when York would be involved in a track meet they would call upon you to run for their track team?

A. Right.

5 Q. Okay. Then I might just pause here for a moment. From time to time, in your track and field career, particularly from the time that you were at Clemson, you suffered from a kind of almost chronic nagging injury that you never were completely able to shake, I take it; is that right?

10 A. That's right.

Q. And can you just tell the Commissioner about that. What happened to you?

15 A. I basically fell down an icy staircase and damaged my Achilles tendon on the left foot. And all during the rest of my career, I had constant irritation with it and it hampered a lot of my training.

Q. All right. So, you fell down this icy staircase in 1980 in Clemson?

A. That's right.

20 Q. So, from that point on, your track career had its ups and downs. And to some extent it can be -- perhaps I am not being fair -- or to a complete extent it can be traced, the ups were related to when the injury was okay --

25 A. Yes, directly related.

Q. -- and under control. And when it -- the downs were related to a flair up of your Achilles tendon problem?

A. Along with other injuries.

5 Q. All right. Could I just move you along to the 1982 season. Looking at some of your competition for York University, you won the 60 meters, 300 meters, the mile relay, and York University that year won the CIAU Championship, as I understand it; is that correct?

10 A. That's right.

Q. And then you were in 1982 the national champion in the 100 meters in Canada; is that right?

A. That's right.

15 Q. And that year I guess for the first time you beat Desai Williams; is that correct?

A. At the nationals level, yes.

Q. At the nationals level. You ran 10.30?

A. I think it was 10.30.

20 Q. And then you also were national champion in the 200 meters where you ran 20 --

A. I didn't compete in the 200 meters in the nationals that summer. I only ran the 100.

Q. I am sorry. In any event, you did in some meet run the 200 meters and that was the time you set
25 the 200 meters --

A. That was earlier in July.

Q. Okay. Your record for the 200 meters is what?

A. 20.22.

5 Q. That was the Canadian record?

A. Yes, that was the Canadian record.

Q. All right. And by 1982, you were ranked number three in the world in the 200 meters?

10 A. Yes, that time of 20.22, number three on the world list that year.

Q. All right. And then we have heard about the Eight Nations Meet that took place in Toyko, Japan in the late summer-early fall of 1982. And you were a member of the Canadian team that participated in the Eight Nations Meet?

15

A. That's right.

Q. And indeed you ran third in the 100 meters in which Carl Lewis was first in that meet; is that right?

20 A. That's right.

Q. All right. Then 1982 was also the Commonwealth Games in Brisbane. I assume you were a member of Canadian team there?

A. I was.

25 Q. And your events were what, and how did

you do?

A. In the 100 I ran -- in the 100 I was sixth; in the 200 I was sixth. And we, myself, Williams, McKoy, and Ben got the silver medal in the 4 X 1 relay.

5 Q. All right. Then moving along to the 1983 season, just to again put your evidence in context, you, in the indoor season, you ran for York University and again had a successful indoor season; am I correct?

10 A. I would imagine; I don't really recall that season.

Q. Okay. While running for York you were second to Desai in the 60 and the 300 in the indoor championships; how does that sound?

15 A. That's right; that's right now, that comes back again.

20 Q. Okay. And you also ran in the circuit of indoor meets that this Inquiry has heard about that are sponsored through the auspices of the CTFA and others in Toronto, Ottawa, Sherbrooke, and indeed I think you ran indoor in New York?

A. That's right.

25 Q. And then 1983 was the World Championships in Helsinki. And were you a member of the Canadian team that participated in the World Championships in Helsinki?

A. I was.

Q. There you ran in the 100 meters, and you made the semi finals?

A. That's right.

5 Q. You were also a member of the 4 X 100 relay team which unfortunately was disqualified?

A. That's right.

10 Q. Okay. And then the Pan-American Games also were held in 1983 as we have heard through the course of the evidence in this hearing, and you were a member of the Canadian team in the Pan-American Games?

A. That's right.

15 Q. All right. And I would like to move you to 1984 and just touch the highlights of 1984 which have to be the Olympics. You were a member of the Canadian Olympic team in 1984?

A. That's right.

Q. You ran in the 100 meters, made the finals, and finished eighth?

20 A. That's right.

Q. You ran in the 200 meters, unfortunately you were knocked out in the quarter final?

A. That's right.

25 Q. Then you were in the 4 X 100 meter relay event, and as we know, the team won the bronze

medal?

A. That's correct.

Q. Okay. Then moving along to the 1985 season, I think you put it to me when you and I first
5 talked, that '85 was a post-Olympic year and you kind of like perhaps some others coasted a little bit that year. And although you did compete, it was not a banner year?

A. That's right.

Q. And then the 1986 season unfortunately
10 the highlight of that - perhaps that's an inappropriate way of describing it - but the most significant event for you in 1986 was that you were injured in a meet in Vancouver at the Harry Jerome meet in June. And at that point, I take it the various nagging injuries that you
15 suffered finally caught up with you and you decided that you were going to quit track and field?

A. I just basically -- I didn't -- I just basically stopped training for awhile and got comfortable with it. I didn't think about it much, I just -- I was
20 injured so I had the time out.

Q. All right. Now we are going to come back to 1987 in some detail, but just to finish the chronology of your background, in 1987 you indeed made a comeback and decided to pick up your track career again;
25 is that correct?

A. That's right.

Q. And you came back again with your old teammates in the Scarborough Optimists club, which by that time a group at least of the sprinters were sponsored by the Mazda organization?

5

A. That's right.

Q. And you started training in March and ran that summer, but regrettably things didn't go quite as well as you hoped. And then in December, 1987, you reinjured your tendon and that unfortunately turned out to be the end of your track career at least up to the present time?

10

A. That's right.

Q. All right. And just to complete the picture of your education and employment, you spent the year that you have described earlier in Clemson studying in general arts, was it?

15

A. That's right.

Q. And then when you came to York University, you entered their phys. ed. program?

20

A. I was a phys. ed. major at York.

Q. And at York you had the equivalent of what, about a year towards your phys. ed. degree?

A. Two or three semesters.

25

Q. All right. And at the present time,

you are now employed in the automobile business?

A. That's right; I am a salesman at Northtown Ford.

Q. All right.

5 THE COMMISSIONER: What was the name of the agency?

MR. ARMSTRONG:

Q. All right. Are you open tonight?

10 A. Till 10.

Q. I have got a really nice used car for you on a trade in.

15 Then I want now to turn to the subject of performance enhancing drugs in track and field in particular.

And during the course of your track and field career, I take it like others you became aware that steroids were used by sprinters and others in the sport?

20

25

A. That's right.

Q. And when you were at Clemson University in South Carolina, did you become aware without naming names, I'm not going to ask you to do that, but did you
5 become aware that members of the track and field team down there had access to and were using performance-enhancing drugs, and in particular, steroids?

A. I saw it around. I didn't actually see anybody using it, but I was aware it was around and talked
10 about.

Q. And indeed at that time you became aware that Dianabol in the form of little blue pills was available, and as you would put it, you just saw it around?

A. That's right.

Q. All right. And indeed, Mr. Sharpe, when you were at Clemson, you yourself had access to and took some Dianabol tablets, did you not?

A. I would imagine I tampered with it a
20 bit. It wasn't a structured thing.

Q. Well, I'm not talking necessarily about a structured--

A. It was available.

Q. Not a structured program, but it was
25 available and you took it?

A. I imagine I did.

Q. All right. And I take it that the use of steroids, whether people were taking them or not among track athletes at that time at Clemson was a subject of discussion?

A. Not really. It depends. The subject of discussion, not really. It was understood. It was just sort of taboo unless someone was close enough to talk about it.

Q. Okay, maybe I used lawyer-type words to describe something. I mean, it was something that from time to time would be talked about in the locker room or on the training track occasionally if--

A. It came up.

Q. It came up?

A. Yes.

Q. And indeed was there not a sense that developed in these talks that you had that it was understood that talent would take you so far, but if you wanted to excel beyond the limitations of your talent, that there was a sense, really, that you had to take steroids?

A. Yes, you could come to that conclusion because I was exposed to international competition two to three years prior to entering Clemson, so I had the

opportunity to see that people improved and that sort of thing, and talked to a few people about what they were doing and so on.

5 Q. And while indeed I seem to have almost put those words in your mouth, those are words that I wrote down that you told me and you wouldn't disagree with that at all?

A. That's right.

10 Q. All right. Now, you came back to Toronto in 1981, and you have told us that you joined again, I guess you had really never left it, but you took up again with the Scarborough Optimists group with Charlie Francis as your coach, am I right?

A. That's right.

15 Q. Now Mr. Francis has testified that sometime in the summer or latter part of 1981, that he sat down with you and had a discussion with you about the advisability of taking steroids, and he indicated that it was his view that because you had reached the level you
20 had reached and were a candidate at least to perform at the highest levels of the sport, that steroids was something that you might consider?

A. That's right, we spoke about it.

25 Q. Right, and did you come to some conclusion eventually as a result of your discussion with

Mr. Francis and your own assessment of the situation that you were prepared to enter into a steroid program on a little more formal basis than perhaps you had up to that time?

5 A. That's right.

 Q. Now, did you ever go to see a doctor by the name of Dr. Koch?

 A. I visited him on one occasion.

 Q. And what was that in relation to?

10 A. I had a lower back injury.

 Q. Now, Mr. Francis has testified that some time in 1981, about the time that he was having this discussion with you about the advisability of going on a steroid program, that he went with you to see Dr. Koch and during the course of the appointment with Dr. Koch, there was a discussion about the use of steroids. And his recollection as revealed to us was that while Dr. Koch didn't particularly see the advantage in taking steroids from a performance-enhancement point of view, he did not think that taken in appropriate doses, the side-effects from steroids were all that serious. I hope I've fairly described Mr. Francis' evidence. Now, do you have any recollection of going to see Dr. Koch with Mr. Francis?

20 A. We may have. I can't recall. We may have.

25

Q. All right. Then I want to take you to the time where you actually went on a steroid program, and in the--I want to focus first of all on the 1982 season, and was it in the spring of 1982 when you first went on what was intended to be a structured program of Dianabol?

A. That's right.

Q. And did you get the Dianabol tablets from Mr. Francis?

A. Yes.

Q. And do you recall that there was to be a cycle of Dianabol over a period of something like three weeks on and a certain period off and another three weeks on?

A. That was intended to be the idea, but due to the fact that I had a lot of problems while using the drug, I was never able to maintain that schedule.

Q. All right. But you did, in any event, start them, but find that you couldn't follow through on the full cycle?

A. That's right.

Q. And the dosage that you took, was it a dosage of 5 and 10 milligrams per day?

A. Yes, somewhere in that area.

Q. Okay. Now, when you went on the steroid program in 1982 or thereabouts, what, if anything,

did you know about the side-effects of steroids? You have said that you may have had this discussion that Mr. Francis alluded to, but leaving that aside, what information, if any, at that time would you have had about the possible adverse or side-effects of taking steroids?

A. Well, as you mentioned earlier, I was a Phys. Ed. major at York so obviously I was exposed to some knowledge of steroids, you know, through some of the courses there, and I also took a personal interest to go and speak with professors on the subject, and they introduced me to some literature that I had a look at.

Q. And did some of the literature that you looked at, did it contain information about the possible side-effects of steroids?

A. It did.

Q. All right. And we have heard a lot during the course of this hearing and we are going to hear more undoubtedly about the side-effects of taking steroids, so I'm not going to ask you to become our instant witness on the subject or instant expert on the subject, but what conclusion did you come to in your own mind as to whether or not you might suffer some adverse side-effects from steroids and what effect, if any, did that have on your taking them?

A. Well, you know, from looking around at

the other athletes that I had met in the time they had taken it and the effects they have had, I concluded that it wouldn't be a problem with side-effects for me if I kept an eye on things through some sort of analysis medical-wise.

Q. And did you attend your physician regularly?

A. We had some testing, but nothing on a significant basis.

Q. All right.

THE COMMISSIONER: Who was that? Who would you have check you out?

THE WITNESS: At that time I just basically would go to my general physician, just do a regular check-up. Nothing directly related to, "I'm taking steroids" or anything like that.

THE COMMISSIONER: I think you said that you realizeed that you should be tested.

THE WITNESS: Yes.

THE COMMISSIONER: Did you ask the doctor for those tests?

THE WITNESS: Not tested--maybe a urinalysis or just a blood test or something, but nothing significantly related to something to do with liver or something like that. I might have had some liver looked

at at some time or other, but I can't really recall the details at all.

MR. ARMSTRONG:

5 Q. All right. Then in the summer of 1982, we have some evidence from Mr. Francis that he gave a bottle of 2 milligram tablets to some of the members of the Scarborough Optimists team, and that included you. He mentioned your name and said that he gave you and three
10 other people a two-week supply of Winstrol or stanozolol. Do you remember that?

A. Yes, I do.

Q. And did you take the Winstrol tablets?

A. I think I tried it for two days and had
15 some very negative response with the tendon and my lower back so I discontinued use right away.

Q. And did others have similar complaints?

A. I believe Angella suffered some stiffness as well.

20 Q. And was that then the one and only time that you were experienced with stanozolol or Winstrol?

A. I would imagine I wouldn't want to touch it again. Obviously if I am having a negative response to it, I wouldn't want to deal with it again.

25 Q. Well, I take it what you are saying

then is you didn't become involved with stanozolol again?

A. No.

THE COMMISSIONER: The tablets?

5 MR. ARMSTRONG: Yes, I take it up to this point in time we are talking about Dianabol and Winstrol. It's all oral?

A. That's right.

Q. In tablet form. Okay. Then Mr.
10 Francis has told us about a program I believe of Dianabol in the fall of '82 leading up to the 1983 season which involved you and others. The demand alternating between 5 and 10 milligrams a day for a cycle of three weeks on and three weeks off and then three weeks on. Do you have a
15 recollection of being involved in a Dianabol cycle such as that?

A. If I had--I was healthy and was able to to be involved, I would have been. I can't recall. Generally my cycles were always discontinued because of
20 the tendon and other injuries flaring up so if I was able to do it, I would have.

Q. All right. I take it that unlike Ms. Issajenko, you didn't keep a diary of either your training program or what other matters were related to your
25 training programs such as what drugs you may have been

taking and so on?

A. No, I didn't. But it's not unusual though.

5 Q. All right. So I take it that your evidence is obviously based upon what you now recall of what happened seven or eight years ago?

A. That's right.

10 Q. And I don't know whether you heard all of Mr. Francis' evidence, but I'm assuming that whatever Mr. Francis may have said or recollected about your involvement in the steroid program, you don't take serious issue with?

A. Pardon me?

15 Q. You don't take serious issue or disagreement with what Mr. Francis had to say about your involvement?

A. I heard most of it. Like I said, if he said three weeks, I was able to take it for three weeks, I would have.

20 Q. All right. Then I'm not, Mr. Sharpe, going to put everyone to sleep by going through every pill and every injection that you may have taken over the period from 1981 to 1987, but there are some other particular times and periods that I do want to discuss and
25 focus with you. First of all, going to 1984, if I can, we

have heard some evidence that in March of 1984, there was a training camp in Guadeloupe?

A. That's right.

5 Q. And our last witness, our second last witness, Angella Issajenko, testified that she went down to the training camp before you and Ben Johnson arrived.

A. That's right.

10 Q. And she of course testified that you and Ben Johnson went down to that training camp together, flew down on the plane together; is that right?

A. We did.

15 Q. All right, she also indicated that it was her recollection that Ben Johnson brought down on the airplane some vitamins, some aqueous testosterone and some growth hormone for use by the athletes at this training camp. Do you remember anything about that?

A. Yes, I do.

20 Q. And do you remember some incident occurring at the airport when you were checking through customs?

A. Yes, basically I hadn't known anything about the package until we arrived at the airport in Guadeloupe. That was the first time I saw the box with the vitamins and so on, and I know you are talking
25 basically about the fact that I took the testosterone

bottles out and a few other things when we got to customs because what eventually happened was they confiscated the vitamins and had them checked out. So I just basically put two and two together and took those things out.

5 Q. All right, just let me go over it in a little more detail and see that we have it. I take it from what you are saying is that until you really got to customs, you didn't know that Ben Johnson was carrying vitamins, the aqueous testosterone and whatever else he was carrying. The evidence from Ms. Issajenko was that he also was carrying growth hormone.

 A. I didn't know what was happening. I just found out when I got to the airport in Guadeloupe was the first time I saw it.

15 Q. All right, and then when the customs officials opened up the container that these substances were in, were you able to or did you take from the container the aqueous testosterone and the growth hormone?

 A. Basically I did. I don't remember exactly what order it went in or where we were, but all I knew was somehow I got it out of the box.

 Q. All right, can I just have a moment. Could I have Exhibit 124. It is a package which contains a brownish bottle with a yellow and white label on it that says Malagen Aqueous 100, and then there is in smaller

25

print the word sterile testosterone suspension U.S.P.
Have you seen a bottle like that before?

A. I imagine I have, yes. That's the
bottle, it that's what you're asking. I have seen that
5 bottle before.

Q. This isn't the particular bottle, this
is just an example of a bottle, and what I want to--

A. In a very similar bottle to that.

Q. So it was a bottle similar to Exhibit
10 124 that you saw was in the package that Mr. Johnson took
off the airplane and that you retrieved from the package?

A. That's right.

Q. Then do you recall also, Mr. Sharpe,
that during the course of that training camp in Guadeloupe
15 in the spring of 1984, that there was also growth hormone
available in addition to testosterone?

A. That's right.

20

25

Q. All right. Now, we've heard from Angella Issajenko that, at that training camp, she shared an apartment with Tony Issajenko and also, I think, the team masseur, Mr. Dincu, was in the same apartment and that she kept the drug supply in the refrigerator in that apartment. Do you remember that?

A. That's right.

Q. You lived, in fact, in a building next door to that apartment?

A. The apartment across the hall.

Q. Oh, I see. If you were in the apartment across the hall, all right. Do you know where Ben Johnson was staying?

A. He was staying in the sports facilities there.

Q. In any event, did you on occasion go to Angella Issajenko's apartment or receive injections of aqueous-testosterone and growth hormone?

A. Yes, we did.

Q. All right. And did Ben Johnson go there at the same time with you?

A. Yes, he did.

Q. And in your presence, did Angella Issajenko inject him with aqueous-testosterone and growth hormone?

A. That's right.

Q. And the drugs that were used in Guadeloupe, did you know or come to an understanding or belief as to who had originally supplied them?

5 A. Yes. By now, I was aware that it came from Dr. Astaphan, I would imagine.

Q. All right. Now, we have heard in the evidence, Mr. Sharpe, that Dr. Astaphan was introduced to the group, first to Angella Issajenko, some time in
10 October of 1983 and Angella Issajenko has described her relationship with Dr. Astaphan through a couple of visits in the fall of 1983 and then subsequently, his becoming her physician in 1984.

I wanted to ask you, at some point did Dr.
15 Astaphan become your physician?

A. That's right.

Q. And about when do you recall his becoming your physician?

A. Early '84 or late '83.

20 Q. And he, in fact, remained your physician until, indeed, at least the spring of 1986 when you, for a period of time, gave up track and field, is that so?

A. That's right.

25 Q. And you -- in 1984, did you ever

receive any injections from Dr. Astaphan of steroids?

A. Yes, I did.

Q. And indeed, the records which we have available which, at the appropriate time will be entered in evidence, show that in 1984 you attended at Dr. Astaphan's office 14 times. Would that accord with your recollection?

A. I can't remember the numbers of time but if it was 14 that they have there, I guess it was 14.

Q. And during that period of time, did you see Dr. Astaphan for reasons other than related to receiving injections of steroids?

A. Yes, I did.

Q. And you've testified that you have, over your career, suffered a number of injuries including in particular this injury to your tendon. Did you see him for those injuries?

A. I did.

Q. Now, I just wanted to also ask you about the fall of 1984, moving away from the spring period that we were in in 1984.

Mr. Francis testified that in the fall of 1984, Dr. Astaphan introduced a drug that he described, that is Mr. Francis described, as a water-based Dianabol and do you remember receiving injections of water-based

Dianabol from Dr. Astaphan?

A. I would -- yes, I did.

Q. All right. Then moving to the 1985
year, that was the year I think we agreed post-Olympics,
5 the first year after the Olympics, and you did a little
coasting, but we know from the evidence that -- of Mr.
Francis and I believe also Miss Issajenko -- that Dr.
Astaphan introduced a drug to the group called Estragol.

Do you ever remember hearing the word
10 Estragol?

A. What year is this?

Q. Fall of 1985?

A. Yes, I think so.

Q. Do you remember hearing the word
15 Estragol?

A. Yes, I remember hearing the word
Estragol.

Q. And, indeed, the records that we have,
Mr. Sharpe, which again will be entered at the appropriate
20 time show that during 1985, you attended Dr. Astaphan's
office on 23 occasions which would be close to almost
every second week from January through December.

Do you remember visiting his office that
frequently?

A. Yes, I would imagine 23 times but not

always relating to steroids. Maybe, you know, on other occasions 'we do get colds and flu's and different things.

Q. I understand. And again, I assume that during the course of 1985 however, apart from the usual things that you might see Dr. Astaphan about, you were receiving injections of steroids including what he described to you as Estragol?

A. That's right.

Q. Now, could I just -- Mr. Registrar?
I'm showing to you Exhibit 117-A which contains a liquid which, on the bottom, is a milky white substance suspended in a clear liquid and the clear liquid appears at the top, almost a watery substance. It's not as clear as it should be because the bottle has been shaken a bit.

But were you, during the course of your visits to Dr. Astaphan in late 1985, for example, and into 1986 which we'll get to in a moment, injected with a liquid that had that appearance?

A. Well, it wouldn't have looked like that because the bottle would have been shaken by the time I've seen it. It would have been white.

Q. All right. Well, I'll shake it up for you then. There it is. It looks just like milk?

A. That's right.

Q. Now, Mr. Sharpe, when you went to Dr.

Astaphan's office, did he, from time-to-time, order laboratory tests to be done?

A. That's right.

Q. Did he ever discuss with you any of the so-called side effects of taking steroids and being involved in a steroid program such as you were?

A. Yes, he did.

Q. What sorts of things did he tell you?

A. Basically, it was a matter of staying on top of the laboratory and making sure we got ---

THE COMMISSIONER: I'm sorry. I couldn't quite hear you. You dropped your voice. Stay on top of the laboratory?

THE WITNESS: Yes, staying on top of the test and make sure we had everything done the way it was supposed to be. As far as the laboratory discussion goes, never really had one.

MR. ARMSTRONG:

Q. So he would order the tests, get the results and your -- you don't have any recollection of ever having discussed the results with him, is that what you're saying?

A. That's right.

Q. Did you understand that the kind of

tests that he was ordering were an effort by him to monitor your condition as it related to your taking the steroids?

5 A. That's right. Well, like any doctor, I mean, you know, you have a lot of faith in your doctor. I mean, you're not going to question everything that he says. If something was wrong, hopefully, the doctor would let you know.

10 THE COMMISSIONER: But you knew that he was having you tested because -- because you were taking steroids?

 THE WITNESS: Yes.

 MR. ARMSTRONG:

15 Q. All right. Then when you went to Dr. Astaphan's office and received a shot, for example, of the milky white substance, the substance that has been referred to as Estragol, did Dr. Astaphan charge you a fee for such a shot?

20 A. No, he didn't.

 Q. And when he gave you shots of water-based Dianabol back in the fall of 1984, did he charge you for injections of water-based Dianabol?

 A. He didn't charge me directly, no.

25 Q. I'm not sure I quite understand your

answer when he said he didn't charge you directly?

A. Obviously, I've heard of people paying this and that, but I didn't pay it. I would imagine Charlie probably -- I used very minimal amounts. I probably didn't have a very expensive account. So....

Q. All right. One of the matters that Mr. Francis testified to, when he was here, was that when the milky white substance known as Estragol was introduced into the steroid program of those who were on it, was that you didn't like it and you wanted to go back to Dianabol? Is that ---

A. That's right. Again, I had the same negative response to that as I did with the orals, the Winstrols.

Q. All right.

A. The tendon started to flare up again, so we discontinued use.

Q. Well, earlier you had said with the Winstrol you got tight. Did you get tight with ---

A. I had problems with my tendon.

Q. ---with Estragol?

A. The same effect.

Q. And you also -- I don't know, was it just your tendon getting tight or was it something else getting tight?

A. If I had any sort of injury at the time, generally as soon as I start a program, the pain would, you know, increase.

5 Q. What you're saying is it is almost a direct relationship between ---

A. No doubt in my case.

Q. ---between taking steroids and aggravating an injury, if you happen to have an injury at the time?

10 A. In my case, that was definitely related.

Q. All right.

THE COMMISSIONER: Well, you said you wanted to go back to Dianabol. Did you discuss that with Dr. Astaphan? Because did you not go back to the Dianabol, did you?

15

THE WITNESS: I may not have discussed it with Dr. Astaphan probably, but I'm sure I'm -- seeing that Charlie was with me every day, I would have talked to Charlie about it.

20

THE COMMISSIONER: But you stayed with the milky white substance rather than going back to Dianabol, is that right?

THE WITNESS: I didn't really stay with anything. I mean, if the injury flared up...

25

THE COMMISSIONER: Well, did you ever go back to water-based Dianabol.

THE WITNESS: Dianabol? I think I went back to some orals. I don't recall if it was -- I don't recall going back to water-based Dianabol.

MR. ARMSTRONG:

Q. Now, if I could take you to the 1986 season and the spring, there was another training camp in Guadeloupe in March of 1986 and there is some evidence that Angella Issajenko was administering some drugs by injection at that time.

Did you also have occasion in 1986 to administer drugs to anyone?

A. Yes.

Q. To whom?

A. Angella. I gave Angella some needles.

Q. And I believe her evidence was that the drug, at that time in Guadeloupe in 1986, was this same milky white substance known as Estragol. Do you remember that?

A. I remember that, yes, that's right.

Q. And again you must have taken some of it, I assume?

A. Yes, same negative response again and

had to discontinue use.

Q. All right. Now, you told us you got injured in June of 1986 at the Harry Jerome meet in Vancouver.

5 Now, looking at the records that we have for 1986 that again, at the appropriate time we'll enter in evidence, but it would appear that from January 6 to May 20th, you attended Dr. Astaphan's office 27 times, in that period, and, in that period, I assume that you probably
10 would have, among other things, received some injections of this milky white substance from Dr. Astaphan, as well, is that so?

A. That's right.

Q. All right. Then I want to take you to
15 the 1987 year. From June of 1986 you had been basically out of track and field and I believe in about February of 1987, you had occasion to have a meeting with Charlie Francis about the prospects of your returning to the sport, is that right?

20 A. That's right.

Q. Can you just tell us a bit about that, Mr. Sharpe, please?

A. Basically we spent one evening -- it wasn't arranged or anything, we met at a restaurant and we
25 sat down, we had a conversation. We basically talked

about the possibility of getting back due to the fact that Mazda was now around and there would be some more funds available and things like that and, by now, the injury had healed and I was able to continue training.

5 Q. All right. And did you become then part of Mazda group and were you sponsored by Mazda to some extent?

A. That's right.

Q. And were you still carded by Sport ---

10 A. That's right.

Q. By Sport Canada?

A. I was.

Q. And receive funds from the CTFA?

A. That's right.

15 Q. And so far as Mazda is concerned, what did the sponsorship mean to you in terms of dollars? Do you remember?

A. I don't remember the figures. There was nothing significant but, you know, it helped.

20 Q. And what was your carding at this point?

A. I think at this point, '87, I had gone from an A to C card.

25 Q. Presumably because you had dropped from the sport?

A. I couldn't compete. I didn't get the opportunity to compete in too many competitions prior to that, especially the Commonwealth Games in '86; would have been guaranteed an A card, probably.

5 Q. All right. Now, by the spring of 1987, of course, Dr. Astaphan had gone back to St. Kitts. He was no longer in Toronto, having left in the summer, early fall of '86.

10 Did you become involved in a steroid program, however, through the assistance of Charlie Francis in the spring of '87?

A. That's right.

15 Q. All right. And did you, along with others from time-to-time, attend at his apartment where you received injections of the milky white substance, that we have already identified, known as Estragol?

A. That's right. It was -- actually, it was a combination of inosine and B-12 in combination. So it was actually a brown colour, mixed together.

20 Q. All right.

THE COMMISSIONER: It was combined with the so-called Estragol and the vitamins?

THE WITNESS: Yes.

25

MR. ARMSTRONG:

Q. And when you would go to Charlie Francis' apartment, would he mix the two together and then give you the shot together?

5 A. That's right.

Q. Had you received vitamin B-12 and inosine from Dr. Astaphan when you had gone to his office?

A. I did.

Q. All right. And were there others who
10 were similarly going to Charlie Francis' apartment in the spring of 1987 to receive shots of the milky white substance, the inosine and vitamin B-12?

A. Yes, there were.

Q. And did those people include Ben
15 Johnson?

A. They did. They did.

Q. Now, by 1987, had the group that were
taking steroids and receiving them at Charlie Francis' apartment, had it appeared to you and others to have
20 expanded in numbers?

A. Yes, upon my return to the group, there were some added people.

Q. And was there any concern about that, among the group?

25 A. Yes, there was.

Q. Why is that?

A. Well, basically, you know, people were concerned about how many people knew what you were doing, you know, about steroids use and that sort of thing.

5 Q. And did Ben Johnson ever express that concern to you?

A. Yes, he did. He was concerned about people knowing, about going to Charlie's apartment after the practice.

10 MR. FUTERMAN: I didn't hear the last....

THE COMMISSIONER: What was the last line about too many people knowing?

THE WITNESS: People knowing of us going to the apartment.

15

MR. ARMSTRONG:

Q. After practice, and I take it concern that people would know that you were receiving shots ---

A. That's right.

20 Q. ---of steroids?

A. Yes, it bothered -- it always concerned and only made good sense that -- I said, I was concerned and it only made good sense.

25 Q. I just want to be clear here that you're also saying that Ben Johnson expressed a similar

concern that would also make good sense?

A. Yes. Yes, did he.

Q. He expressed that concern to you?

5 A. Yes, but I imagine he must have raised it with Charlie sometime when they were together.

Q. All right. I take it there were, at that time, there were other people around Charlie Francis' apartment who were not on steroids?

A. I would imagine.

10 Q. And there must have been a concern that they might become aware of what the situation was with those of you who were on steroids?

A. That's right.

15 Q. And during the course of that spring, as I understand it, 1987, you went to Francis' apartment about five or six times to receive shots of the milky white substance?

A. I don't remember how many times. Five or six, perhaps.

20 Q. All right. Then unfortunately, as we've indicated earlier, the 1987 season didn't turn out quite as well as you had expected and indeed you got to the fall of 1987 and went on a program of Dianabol. Am I right?

25 A. Yes, the end of '87.

Q. Was that oral or injectable?

A. Oral.

Q. And were those pills -- from whom were they obtained?

5 A. I got them from Charlie.

Q. And what effect, if any, did the Dianabol have on your physical condition?

A. Again, tendon, very negative. My response with the tendons at this time and that concluded my career basically. I just kind of gave up because I wasn't able to train and it was the Olympic year, so I wasn't going to go in there not prepared totally.

10

Q. So, again, I assume in essence what you're saying is, you went on the Dianabol, your tendon flared up seriously again and ---

15

A. I had lost a lot of training time trying to nurse the tendon so by the time the trials were coming along, I just basically ran out of time.

Q. And was -- you obviously were getting ready? You hoped to be a serious contender for the 1988 Olympics?

20

A. That was my.....

Q. And did you have any opinion at that time as to whether, in order to be a serious competitor in the 1988 Olympics, you would have to be on a steroid

25

program?

A. Well, it was my belief all along, all my career, that, you know, to compete at the very best levels it would take some help which meant the steroids.

5 Q. What was your view, Mr. Sharpe, of the ability of one to compete as a clean athlete at the highest levels in international track and field?

A. Well, I'm not going to say international track and field. I will speak strictly for
10 sprinters who I've spent a great deal of my life around on the international level, and basically, I stated sometime last year, that I believe, in my opinion, that a high percentage of world class sprinters are steroids users and, you know, it's basically -- we're all -- nobody is
15 going to tell you outright that they use steroids but when it comes down to the bottom line we're all clean until tested positive, right? So-called clean athletes until we all -- all innocent until proven guilty, so to speak.

20 THE COMMISSIONER: Would this be an appropriate time for the morning break?

MR. ARMSTRONG: Yes, it would.

THE COMMISSIONER: We'll adjourn for 15 minutes.

25

--- Upon resuming.

THE COMMISSIONER: Mr. Armstrong.

MR. ARMSTRONG:

Q. Yes, thank you.

5 Mr. Sharpe, there was just one other matter
that I wanted to raise with you and that is when you went
on the steroid program in the spring of 1987, and again
shortly in the fall of 1987, involving the milky white
substance known as Estragol, and later in the fall
10 Dianabol, was there any monitoring of your condition by
any physician at that time because I note, of course, that
Dr. Astaphan had left Toronto by that time?

A. With me it wasn't necessary because I
really didn't last long enough on a cycle to require any
15 sort of laboratory test. I mean four shots, three shots,
I stopped. So, it wasn't a concern of mine.

Q. Okay. So, but that was then your
opinion that --

A. If I was on a cycle I would imagine
20 that I would seek some medical advice or monitoring.

Q. All right. Then just as a follow up
from that, was the issue of clearance times, that is the
number of days that you needed to be free of the drug
before you compete, was that ever a particular issue with
25 you?

A. No, because I wouldn't last the cycle.
So, I would have been clean long before the competition.

Q. And, however, was clearance time
something that you became aware of?

5 A. It would be definitely something you
would want to know.

Q. All right. And I assume that for
those of you who were on steroids, it was something that
you were made aware of and discussed?

10 A. It's quite important.

Q. All right. And when, for example, you
were on any of these various steroids that you and I have
mentioned today during the course of the evidence, you
would become aware I assume either from Dr. Astaphan or
15 doctor -- or Mr. Francis what the particular clearance
time was supposed to be for the particular drug?

A. That's right.

Q. And that was something that was known
by all of the athletes in the group involved in the
20 steroid program?

A. That's right.

MR. ARMSTRONG: Those are all the questions
I have, Mr. Commissioner.

THE COMMISSIONER: All right. Thank you.
25 Mr. Porter.

MR. PORTER: Thank you.

--- EXAMINATION BY MR. PORTER:

Q. Just a few questions, Mr. Sharpe. In
5 the end of 1985, in December, do you have any memory
whether you had a sore hip or problems with your hips?

A. I don't recall.

Q. Have you got -- at the beginning of
1986 and the end of 1985, did you have any problems with
10 your tendons in your legs at that time that you remember?

A. My problems were on and off. I don't
recall. Like you can see, I don't write everything down
like Angella did, so I can't recall when I had these
problems unless they were really significant. And with
15 the tendon, it was on and off. So to put a date on it at
that time did I have it, my tendon was bothering me, I
don't recall.

Q. Would you visit Dr. Astaphan concerning
your tendons?

A. I saw Dr. Astaphan concerning my
20 tendons, sometimes sore hamstring, different other things.
And I also some other people regarding my tendons.

MR. PORTER: Thank you.

THE COMMISSIONER: Thank you, Mr. Porter.
25 Mr. Bourque.

MR. BOURQUE: Thank you, Mr. Commissioner.

--- EXAMINATION BY MR. BOURQUE:

Q. Mr. Sharpe, my name is Roger Bourque,
5 and I represent the Canadian Track and Field Association.
And I have just a very few questions I wish to ask you.

I believe you said in your evidence this
morning that in the summer of 1982, at the Nationals, you
beat Desai Williams to become the national champion in 100
10 meters; is that correct?

A. That's right.

Q. And your time in that particular event
was 10.3 seconds; is that correct?

A. 10.30.

Q. And that particular season was your
15 first season following your initiation of the steroid use;
is that correct?

A. That's right.

Q. And you had in fact first begun a
20 program of steroids in late 1981; is that correct?

A. That's right.

Q. After a discussion with Coach Francis?

A. That's right.

Q. And at the time you had the discussion
25 with Coach Francis, what was your personal best in the 100

meters?

A. Prior to that? Not far off, I don't remember, but it wouldn't have been far off, 10.30, 10.27 may be, I don't know. My personal best is 10.19.

5 MR. BOURQUE: All right. Thank you, sir.

THE COMMISSIONER: Thank you, Mr. Bourque.
Mr. Barber.

MR. BARBER: Sir, I have a few questions.
Perhaps I will come up to the front.

10

--- EXAMINATION BY MR. BARBER:

Q. Mr. Sharpe, my name is Tom Barber, and
I represent the Sport Medicine Council.

15 When you first started using steroids, Mr.
Sharpe, as I understood your evidence was in the fall of
1981 or spring of 1982; is that correct?

A. In around that time.

Q. Was that an oral Dianabol?

A. That's right.

20 Q. And do you recall how the program of
use was established?

A. It was supposed to be I think 5 to 10
mls three weeks on, three weeks off, but again with my
program it wasn't much of a program in that I didn't last
25 long enough.

Q. I understand that, and I will come to that in a minute, but who established the first program? Who told you what to do the first time?

A. Charlie did.

5 Q. Before going on to that program, did Mr. Francis suggest that you have a complete medical physical exam?

A. Did he suggest that? I imagine he did, I don't recall. I mean you are talking six, seven years
10 ago. I can't remember everything. It would be nice if I had it written down, but I don't.

Q. Fair enough. But I take it you simply don't recall whether he suggested that or not?

A. I simply don't recall if he suggested
15 it or not.

Q. Do you know whether you did? Did you make a point of going to see a doctor before you started using any steroids?

A. Before I started? I imagine I did.

20 Q. Do you recall?

A. No, I don't recall.

Q. Did you discuss, and you may have given this evidence and I missed the note, with Mr. Francis or with anybody else before you started using the steroids,
25 did you discuss the possible side effects of the steroids?

A. Like I mentioned earlier, I was in a phys. ed. program at York University, and I was exposed to some of that, you know, not the side effects as much but the benefits, so to speak, of steroid use, strength gain, and that sort of thing.

And being an international athlete at the time, I took extra interest in the subject. And I spoke with one of my professors regarding the use of it and the effectiveness and so on. And, of course, came the side effects were also exposed to some of the side effects.

Q. Well, did Mr. Francis discuss with you possible side effects before you started this program?

A. We spoke -- we spoke about side effects, but as far as discussion and such on the subject, I can't say we did.

Q. All right. Now, you went over a lot of the period in a fairly general way, and what I would like to do is ask you whether there was an established program or a usual program for the various steroids that you took from time to time.

All right. Do you understand what I am asking you? For example, when you were using oral Dianabol, was there an established program that you would intend to follow?

A. There was, but if -- like I will say

once again, I was not consistent.

Q. Was the lack of consistency because you just didn't follow it or because the injuries --

A. Due to my injuries.

5 Q. -- the injuries got exacerbated?

A. Generally, yes.

Q. Is it correct then that each time you began a steroid program, the most immediate result was that your injuries got exacerbated?

10 A. Not each time. Sometimes -- generally, yes, but not -- I can't say every time I did. You know, it was just never ever complete the entire cycle.

Q. You never completed an entire cycle?

A. Not to my recollection.

15 Q. And is it correct that each time you had to stop, it was because your injuries were exacerbated?

A. Yes, but I mean also a lot of times what I would do basically is if it is a tendon injury, then they could delete the running aspect of the program and stay in the weight room or stay in the swimming pool. So, you know, that was one way.

20

Q. But the sequence, as I understand it, was that you began using steroids, the injuries got exacerbated, and you would have to either stop or modify

25

your training program; is that right?

A. That's right.

Q. And the injuries that I heard you mention were your Achilles tendon?

5 A. That's right.

Q. And a low back, did you have a recurring low back problem?

10 A. Yes, that was that was due to I had jumped over something and had landed improperly. And I had a little spinal problem.

Q. What kind of a problem was it? Was it a disc problem?

A. I guess it was disc related because some traction actually relieved it.

15 Q. Was the low back situation aggravated when you used steroids?

A. Not significantly. After awhile that cleared up.

20 Q. Was the injury then that would flare up most predictably with the steroids the Achilles?

A. That's right.

Q. And are you aware that one of the effects of steroid and the muscle development is the tendency to overpower tendons?

25 A. Absolutely.

Q. Did you ever discuss with either Mr. Francis or with Dr. Astaphan this recurring relationship between using steroids and aggravating your injuries?

A. Charlie and I talked about that.

5 Q. Did anybody ever suggest that you train without the steroid so that you didn't exacerbate the injuries?

A. Not suggested, but you must understand I wasn't interested in training without the steroids.

10 Q. Why weren't you interested in training without steroids?

A. Frankly I had concluded that that's what was going to take me to where I wanted to go, which was amongst the very best.

15 Q. But it seemed, Mr. Sharpe, from your evidence --

A. I know you are saying it seems detrimental almost, but, you know, it was my decision.

20 Q. You believed it would help so you kept doing it?

A. It did help.

25 Q. What about the years when you weren't seriously training, though, and you still seemed to take steroids? For example, Mr. Armstrong and you characterized 1985 as a post-Olympic year and said you

were coasting, and yet you are still on regular steroid use?

A. I wouldn't say regular.

Q Well, you used steroids in 1985?

5 A. Like if it's stated in the books I did, I did. I mean I don't have it written here.

Q. Do you recall using steroids in 1985 after the Olympics?

10 A. To say on what occasion and where, no, but I probably did.

Q. Did you find that the steroids enhanced your attitude toward training?

15 A. There are some psychological effect, you know, its conditioning to think I guess that if it works, using some it's going to help you, I mean psychologically you are going to have some positive response.

Q. Did you find when you weren't using the steroids that there was a corollary, there was a down?

20 A. I guess so a little bit, I guess. I don't really remember.

Q. In 1986, before you were injured in Vancouver, I think the evidence that Mr. Armstrong led was, or suggested to you, was that there is indication of
25 some 27 visits to Dr. Astaphan between January the 6th and

May the 20th?

A. That's correct.

Q. And you indicated that not all of those would be for the purpose of receiving steroids, but are
5 you able to say whether most of them, some of them?

A. It could have been 50-50 depending on what other problems I might have been having at the time.

Q. Do you recall what steroid you were using then? Was it the Estragol by injection?

10 A. Generally it was the Estragol along with B-12.

Q. And how often were you going for Estragol injections?

15 A. I think it should have been twice a week.

Q. Was this a situation where you were able to complete the program or extensively --

20 A. No, I ran into some in -- prior to Vancouver, I recall having some problems with my knee or something. It wasn't related. It wasn't one of the old injuries, it was something different. My knee was giving me a little bit of problems.

Q. Was this a flair up that you attributed to the steroids?

25 A. No.

Q. This was something unrelated?

A. Yes.

Q. Did you go off the steroids then when you were injured?

5 A. I think I did.

Q. You don't recall?

A. I don't have it written. Like I said, it's a long time ago.

10 Q. Okay. I think you said that Dr. Astaphan was -- did a lot of tests and told you that it was important that you stay on top of the lab tests if you were going to be using the steroids; is that correct?

15 A. I mean when I was scheduled to go across the hall to the lab, I did. When I was scheduled for that, I did.

Q. Okay. Do you recall what tests he had you take?

A. No, I don't.

20 Q. Do you know why, what the purpose of these tests were?

A. No, I mean he was my doctor. I mean I wasn't really concerned. I mean like dealing with a doctor is a professional and I would imagine if there is a problem you don't --

25 Q. Did he ever review the results of the

tests with you?

A. No, not that I can recall.

Q. Were there urine tests?

A. At times, yes, I think there was.

5 Q. Were there blood tests?

A. Yes, I recall that.

Q. Do you know whether they ever did any
liver scans?

A. I don't recall having that done.

10 Q. 1987, you had been away from training
for a period of some months; is that right?

A. That's correct.

Q. Was it June of '86 you were injured in
Vancouver?

15 A. Correct.

Q. And then it would have been, was it
early '87 that you had a conversation was Coach Francis
and --

A. Yes, early in the year.

20 Q. -- resumed training?

A. That's right.

Q. But am I correct that almost at the
same time you resumed training, you went on to a steroid
program?

25 A. Not right away, I got in some sort of

shape.

Q. It would have been within weeks of returning to training?

A. Well, three or four weeks.

5 Q. And were these steroids provided by Coach Francis?

A. Yes, they were.

Q. Is this when you were going to his apartment for injections?

10 A. That's right.

Q. And the program of use, the dosages, and the frequency, was that established by Coach Francis?

A. Yes, I guess it was, but on occasions I would miss it, or, you know.

15 Q. Do you know how your program of use, the frequency, and the dosages, how they compared to what any of the other athletes were doing?

A. I think they were similar to -- the guys had the same, may be some a little more, some a
20 little less, I don't know. Mine was basically a cc, I believe.

Q. Just one final area, Mr. Sharpe. The Sport Medicine Council and Sport Canada have produced and distributed educational material. And they distribute it
25 to the carded athletes and to the members of the various

Canadian teams. And you have been a member of several teams, correct?

A. That's correct.

5 Q. Have you received educational information regarding drug use?

A. Yes, I have.

Q. Have you read it?

A. I have looked it over, not in any great detail, but I did.

10 Q. Pretty self-evidently it didn't dissuade you from using steroids?

A. No, I didn't.

15 Q. I guess the question I put to you, sir, what if any educational material in your view would be effective in dissuading an athlete from using steroids?

20 A. I don't know, it's a tough question to just sit here and answer that. I don't know what you could tell them that would, you know, sway them away from it. I mean, you know, their chance of getting caught is there and that's not enough, so. I guess the glory is too sweet, the dollars are too much. I mean, you know, I don't know what it takes to stop.

MR. BARBER: All right, thank you, sir.

THE COMMISSIONER: Thank you, Mr. Barber.

25 Mr. Levine.

MR. LEVINE: Thank you, sir.

--- EXAMINATION BY MR. LEVINE:

5 Q. Mr. Sharpe, good morning, my name is
Lorne Levine. I am here on behalf of Dr. Astaphan. I
will attempt to be brief.

10 You have said on a couple of occasions this
morning that you had come to an opinion that you needed
the steroids, I think your expression was to take you
where you want to go, and also I think you used the
expression that you thought you needed steroids in order
to compete internationally; is that right?

A. That's my opinion, yes.

15 Q. And can you advise us as to how you
reached that opinion?

20 A. Well, you know, I had been around the
international circuit of course for quite sometime, and
you have talked to people, overheard conversations, you
have seen people improve and so on. And you -- I have
come to the conclusion that is what it was.

Q. Was that opinion shared by most of your
teammates?

A. No doubt.

25 Q. And I take it it was a topic of

conversation on many occasions?

A. Yes.

Q. It is fair to say. And I think, sir,
your evidence was that you began to experiment with
steroids back in 1981; is that right?

A. That's right.

Q. And you took little blue pills, and I
believe your evidence was that those were Dianabol?

A. That's correct.

Q. And where did you get those from?

A. I got those from Charlie.

Q. And how long did you take those?

A. It was designed to go for three weeks,
but whether I completed that cycle or not, I don't recall.

Q. Did you notice any improvement in your
performance after you took those?

A. Well, the most significant area you are
going to find is in the weight room.

Q. Yes.

A. And that's you can draw the conclusion
it's directly related to the strength gained.

Q. And I believe you said that you first
saw Dr. Koch when you had an injury in 1981. How did you
come to meet him?

A. Charlie sent me down or took me down, I

don't quite recall the visit as such, but I remember going down to see Dr. Koch.

Q. Is it possible that you saw Dr. Koch before you took the Dianabol?

5 A. It might have been quite, it could have been.

Q. Is it possible that you would have discussed with Dr. Koch the effect of taking that steroid?

A. It's quite possible.

10 Q. And I believe your evidence was that in the spring of 1982, at that time you had come to the opinion that if you were to take steroids it should be monitored by a doctor; is that fair to say?

A. That's right.

15 Q. Okay. And at that time, you said you saw your GP for checkups. Was that Dr. Koch or was that another doctor?

A. I had a GP I saw on occasions for general stuff, but again my use of steroids was so
20 inconsistent and infrequent that I was never really concerned about side effects because it's just like it wasn't the durations and the sessions were so brief it wasn't a concern of mine. I wasn't like a heavy user, so.

Q. I appreciate that, sir, but wouldn't
25 you be concerned not just about the side effects, but

about taking it at the proper time so as it would have its maximum effect on your performance?

A. But that was already established.

Q. How was that established?

5 A. Well, the program was already set out I mean as far as clearance dates goes and basically you wanted to run your training period when you were working hardest to get the most benefit in training.

10 Q. I see. And back in 1981 and 1982, were you aware of what were indeed banned substances and what were not?

A. I was.

Q. And how were you made aware of that?

15 A. Basically there was a list of the banned substances, but my concern wasn't anything outside of the steroids because, you know, it's all I was concerned about, it's all I used.

20 Q. I see. And in September 1982, your evidence was that you first received what you believe was Winstrol from your coach; is that right?

A. That's right.

Q. Whose decision was it for you to start on that steroid?

A. It came from Charlie.

25 Q. Did he give you a reason why he wanted

you to take that?

5 A. I don't -- I guess he found out something about it from somewhere, and he concluded that it could have been effective. And I don't know where the information came from, but I know I tried it.

Q. And I believe your evidence was that you simply took it for a couple of days and you didn't like the reaction?

A. Yes, maybe a couple of days.

10 Q. And I understand that you didn't really meet Dr. Astaphan until either late 1983 or the beginning of 1984?

A. That's right.

Q. And how did you come to meet him?

15 A. Through Charlie and Angella.

Q. And up until that point in time, were you still seeing Dr. Koch?

20 A. No, I wasn't. I don't remember seeing Dr. Koch on a regular basis. I didn't see him on a regular basis.

Q. But you were seeing your GP --

A. Yes.

25 Q. -- who was another doctor. Okay. And Dr. Astaphan remained your doctor from 1984 until spring of 1986?

A. That's right.

Q. And during that time you were happy with his care?

A. Yes.

5 Q. You seemed to be quite precise about the number of times you think you attended at the doctor's office, for example. My notes say that in 1984 you believe you attended 14 times?

10 A. That's straight from the records, I do believe. It's not a matter of an exact number. That would be hard to do.

Q. I see. Are you able to give an estimate from those times that you saw the doctor, how many times would have involved steroids?

15 A. I can't say. I saw him on several occasion for several different reasons. I can't put to you, like I said to you earlier, maybe 50-50. I can't put an exact number on it.

Q. And then in 1985 --

20 THE COMMISSIONER: I think you said, though, at the end that when you were on the so-called Estragol program, you would go twice a week for injections.

25 THE WITNESS: I think twice a week, it was twice a week.

MR. LEVINE:

Q. Thank you, sir, I was about to get to that.

In 1985, you say Dr. Astaphan introduced the Estragol?

A. I believe that was the year, yes.

Q. Did you have any conversation with him about it?

A. No, I didn't. I don't remember having a conversation with him about it as such.

Q. Do you remember why he wanted you to take it? Like did he -- did he mention any benefits of it or anything of that nature?

A. I would imagine he did.

Q. But you don't recall?

A. I don't recall.

Q. Did you know if anyone else on your team was taking the same substance at that time?

A. I would imagine Angella and probably Ben and whoever else went to Dr. Astaphan for that.

Q. Up to that point in time, had you heard any complaints from any of the other teammates about the effects or side effects of that steroid?

A. I think Angella said she got some stiffness. I don't recall anybody else complaining.

Q. And I believe your evidence was that there was no charge for the injections from the doctor; is that right?

A. That's right.

5 Q. Are you able to estimate as to how long you were taking Estragol?

A. Not -- I can't recall how many times or how long.

10 Q. I see from my notes that the Estragol wouldn't have always been administered by Dr. Astaphan; there were times when they would have been administered by your coach as well?

A. I -- in what year is this?

Q. Spring of 1987.

15 THE COMMISSIONER: When you went to his apartment, you told us.

THE WITNESS: That's right.

MR. LEVINE:

20 Q. In his apartment. Were there times when they would have been administered by others of your teammates?

A. Not -- not in that year, 1987, I don't recall anybody else doing needles.

25 MR. LEVINE: Fine, sir, thank you.

THE COMMISSIONER: Thank you. Mr.
Futerman.

MR. FUTERMAN: Thank you, Mr. Commissioner.

--- EXAMINATION BY MR. FUTERMAN:

5 Q. Good afternoon, Mr. Sharpe.

A. Good afternoon.

Q. I am Mr. Futerman, and I represent Ben
Johnson.

10 What was your personal best, Mr. Sharpe,
before you embarked on the steroid program?

A. I don't recall exactly; 10.30. I don't
recall.

15 Q. Is it fair to say that in your opinion
that the use of steroids probably aggravated the Achilles
tendon problem that you had?

A. I drew the connection.

Q. Sure. And that in essence the use of
steroids probably to some degree played a role in the
termination or the ending of your career prematurely?

20 A. I used steroids and I also had great
success while using it. So, I mean as far as ending my
career goes, maybe it's related but it --

THE COMMISSIONER: He said he was very
successful at times.

25

MR. FUTERMAN:

Q. At times he was, but at the end the Achilles tendon became very stiff?

5 A. That was related to steroids and other things, too. Like I mean, you know, you don't get the whole depth of what I was -- what was happening in my training. So, you can't really say that.

10 Q. No. During the late 1970's and early 1980's, can you help me as to the number of the athletes that trained at the Scarborough Optimist Track Club that ended up on university scholarships?

A. The exact number I don't recall. I think a high percentage of the guys anyways. I can't say, maybe a dozen, I don't know.

15 Q. Can you help me as to why Ben Johnson never ended up with a university scholarship, or did he receive one to your knowledge?

20 A. I don't know. By the time we were in university Ben hadn't completed high school yet because I remember coming home in the summer and he was still running for Yorkdale, so. And I guess upon us returning to Canada, I guess that there was no reason or incentive for him to go south.

25 Q. But you and Ben were approximately the same age, were you not?

A. Yes, we were the same age.

Q. You are six months older than Ben?

A. That's right.

Q. And Mark McKoy about the same age?

5 A. I am six months older than Mark as well.

Q. All right. So Mark and Ben would be about the same age?

10 A. Yes, the same age. They were born in December.

Q. When you were getting the reaction to the Winstrol that you have described before, you told Charlie Francis about that?

A. That's right.

15 Q. And you told him that it was causing you problems, stiffness and other side effects that you were not happy about?

A. Stiffness, mainly stiffness.

Q. Pardon me?

20 A. Mainly just stiffness.

Q. Did you tell him you were going off the program?

A. Yes, that's right.

25 Q. In fact during the periods of time I think your earlier indication has been that because of

your injuries that you really didn't follow any specific steroid program from year to year, you would start a program, you would start a cycle, you would discontinue the cycle because your injuries would flare up again --

5 A. Generally, yes --

 Q. -- from time to time?

 A. -- that's right.

 Q. Did you tell Charlie Francis each time that happened?

10 A. Yes, at times. Most of the times I did, other times I might not have.

 Q. Well, did he not indicate to you how important it was for him to monitor your steroid program from year to year and from cycle to cycle?

15 A. I guess he might have.

 Q. All right. Dealing with another issue Mr. Sharpe: from time to time, new steroids were introduced into your cycles; is that correct?

 A. New?

20 Q. New -- well, we are talking you started off with Dianabol, the pills?

 A. That's right.

 Q. The blue pills. In fact you started those in 1978. You tried them, you experimented with them I think you said at Clemson?

25

A. Not as early as 1978. I wasn't at
Clemson in 1978.

Q. Forgive me. When did you go to
Clemson, '78?

5 A. 1980.

Q. Pardon?

A. 1980.

Q. All right. Did you experiment with
steroids at that time?

10 A. As I recall they were available so I
had taken some. It wasn't a formal thing or anything.

15

20

25

Q. So you were very familiar with steroids at the time Charlie Francis first discussed the possibility of using them?

A. That's right.

5 Q. And do you recall the conversations you had with Charlie Francis when you first discussed using steroids?

A. No, I don't recall in any great details what was said.

10 Q. Do you recall him saying that the whole world was using it and that in order to compete on an international first class or world-class basis in the sprints, you had to use steroids?

A. That would be my belief.

15 Q. Was it also his belief?

A. I would imagine that it was.

Q. But you don't specifically recall what words he used or what words you used?

A. I don't recall.

20 Q. Were you present when he talked to Desai Williams?

A. No, I wasn't.

Q. Were you present when he talked to Ben Johnson?

25 A. No, I wasn't.

Q. Were you present when Dr. Koch talked to Ben Johnson?

A. I don't remember that visit.

Q. Were you present when Dr. Astaphan talked to Ben Johnson?

A. No, I wasn't. I can't remember.

Q. Were you ever present when Dr. Astaphan talked to Ben Johnson about the use of steroids?

A. Spoke to him about it?

Q. Yes.

A. No, I don't recall.

Q. All right. Is it fair to say that the discussion respecting steroids was not something that you would discuss with Desai or with Mark or with Angie or with Ben?

THE COMMISSIONER: He said he did, Mr. Futerman. I think it's an improper question. He said he did. They discussed the fact that there were too many people in the group and that they would get caught if too many people knew about it.

MR. FUTERMAN: I'm going to get to the point as to what the discussion was.

THE COMMISSIONER: You put the question to him which is quite inaccurate. I'm sure unintentionally. You mis-stated what his evidence was.

MR. FUTERMAN: I'm sorry. I'll rephrase the question.

THE COMMISSIONER: Unintentionally, I'm sure, but you mis-stated him, Mr. Futerman.

5

MR. FUTERMAN:

Q. Up until 1987, we are going to deal with what happened in Charlie Francis' room involving some of the other runners that were there and the concern that some of you had about Charlie Francis getting too loose and the concern that you expressed earlier. Let's talk about the discussions about anabolic steroids with the other runners that you trained with. Let's talk about the Mazda group or the Scarborough group. Did you and Mark McKoy discuss steroids and the use of it from time to time?

10
15

A. I never had any words with Mark McKoy about steroids.

Q. What about Desai?

20

A. I don't recall talking to Desai about steroids.

Q. What about Ben?

25

A. Ben and I basically--when Desai and Mark left the group, it was myself, Ben and Angella, so obviously we had reason to--we had spoke about it because

we were always together. Ben, myself and Angella were the only three left in the group.

Q. Did you ever hear Ben use the word Winstrol?

5 A. Winstrol?

Q. Yes.

A. No.

Q. Stanazolol?

A. No, I never heard him say that.

10 Q. Dianabol?

A. Dianabol perhaps or D-bol.

Q. Are you sure?

A. D-bol he might have called it.

Q. D-bol, all right. Estragol?

15 A. No.

Q. All right. Now,--

THE COMMISSIONER: He said they talked about steroids, but not by their generic name.

20 MR. FUTERMAN:

Q. Did you hear Ben use the word anabolic steroids?

A. Roids. How does that sound?

Q. Roids?

25 A. Roids, steroids. Roids. Maybe you

have heard of roids.

Q. Roids. Did anyone else refer to it as roids?

5 A. Yes, it's common terminology. "Roids, juice, the stuff." You just knew you what they were talking about. "He is on". Whatever.

10 Q. Besides anabolic steroids, did you take other medications, other pills, other drugs that were not on the banned list? For example, you have already mentioned a B12 mixture with the inosine. Was there anything else that you took?

A. Calcium, multi-vits, potassium, a variety of other substances or minerals.

15 Q. And is it fair to say that Ben did the same thing?

A. Yes, he was big on his vitamins.

Q. And other drugs that weren't on the banned list?

20 A. I would imagine. Well, you know those packets of vitamins contain quite a few different--

Q. Were you familiar with the variety of medications or pills or drugs that Ben was taking besides the ones--

25 A. Was I familiar with the ones he was taking?

Q. Yes.

A. No. I mean, we roomed together quite a bit, but he had his packages and--

Q. So did he ever refer to these other
5 medications as "the stuff" or "the juice"?

A. Definitely I've heard him talk about the juice or roids.

Q. He could be referring to--

THE COMMISSIONER: I'm sorry. I didn't
10 hear you. He talked about what?

THE WITNESS: I've heard him talk about it. We've talked about it, not in any great length of conversation, but relating to strength gain in the weight room or something. It's obvious. Like I said, you tie
15 the two together. You might say something to the effect of, you know, this is all right or, you know--

THE COMMISSIONER: You used the word roids again.

THE WITNESS: Roids or something. I don't
20 recall--

THE COMMISSIONER: Your voice is dropping and I can't hear you. I'm sorry.

MR. FUTERMAN:

Q. I think I believe the question I was
25

trying to put to you, Mr. Sharpe, was did not Ben use, the words you've described sometimes, to refer to other pills and--

THE COMMISSIONER: What words are those?

5 Roids?

MR. FUTERMAN: I'm talking about the juice and stuff. He referred to a number of other words.

10 Q. Did Ben use these other words sometimes to refer to pills in non-banned drugs?

A. No.

Q. He didn't?

A. No.

15 Q. He never referred to "the stuff" as anything but the banned stuff?

A. That's what it meant.

Q. That's what it meant to you, right?

A. That's what I understood that he was conveying to me.

20 Q. I understand that. You understood that, but you don't know what Ben meant when he said it? Is that fair to say?

A. In context of the conversation, I would relate it to steroids.

25 Q. You would relate it to steroids, but

the question I put to you, you don't know what Ben referred to when he was talking about the stuff?

A. Are you saying that when he talked to me he didn't know what he was saying?

5 Q. I am suggesting to you that you don't know it was in Ben's mind--

A. I think so. Generally the conversation on the subject, you can in context know what it's related to.

10 Q. All right. You don't recall specifically seeing Dr. Koch, you don't remember whether he talked to you about the side-effects?

A. I don't remember having a conversation about side-effects with him.

15 Q. May I just refer you briefly, Mr. Sharpe, to the incident in 1984 at the airport when you were going to Guadeloupe.

A. Go ahead.

Q. You flew down with Ben?

20 A. That's right.

Q. At that time did you discuss what was in the box? Where was the box?

A. I hadn't seen the box until we got off the plane.

25 Q. Did Ben express any concern that he had

a box with him that might be looked at at the airport?

A. I don't recall. I didn't see the box until we got off the plane.

5 Q. And when you were being checked by the customs, did Ben show any concern? Is it fair to say it was you that saw the testosterone in the box and you grabbed it out?

A. Like I said, that's the first time I saw the box when we got off the plane.

10 Q. But Ben didn't say to go into the box and take it out, did he? No. This was your idea.

A. No.

Q. Nor did he say to you the customs are here, we are going to be in trouble?

15 A. No, he didn't say that either.

Q. I think you said earlier that in terms of the tests or the examinations that were done by your doctor, you trusted him. Is that fair to say, whether it was doctor-- regardless of who the doctor might have been?

20 A. That's right.

Q. And insofar as Charlie Francis was concerned as your coach, you also trusted him and the decisions he made on your behalf; is that fair to say?

25 A. At times, yes. Most of the times, but we had our disagreements. I mean, he didn't govern me or

anything like that. I mean, if I had an opinion, I would definitely let him know.

Q. You had your own mind?

A. I certainly did.

5 Q. Thank you, Mr. Sharpe.

THE COMMISSIONER: Thank you. I would just like to ask you a few questions, Mr. Sharpe, following up what Mr. Barber said. You have been given several literature by Sports Canada and the sports minister's
10 counsel as to why these drugs are banned. Have you read the material that was submitted, forwarded to you?

THE WITNESS: No, I haven't really read it as such. I might have opened up the envelope and looked through it.

15 THE COMMISSIONER: Did you ever receive material from the Canadian Track and Field Association about the reason why these drugs are banned?

THE WITNESS: If they sent it, I guess I got it.

20 THE COMMISSIONER: Did you read it?

THE WITNESS: No, I didn't necessarily read it.

THE COMMISSIONER: Or the Ontario Track and Field Association?

25 THE WITNESS: Again if I got it, I might

have opened the envelope and looked at it, but--

THE COMMISSIONER: But you know that the reason drugs are banned is, first of all, because it's cheating?

5 A. That's right.

Q. And because of the side-effects to your health?

THE WITNESS: That's correct.

10 THE COMMISSIONER: And you were part of the Canadian team at the PanAmerican Games at Caracas in '83?

THE WITNESS: Yes.

15 THE COMMISSIONER: And you know the scandal that occurred at that time because of the several people who were found to have positive tests for anabolic steroids?

THE WITNESS: Yes, I am aware of that.

20 THE COMMISSIONER: All right. And following that, you realized that the campaign against the use of steroids was increased dramatically in Canada?

THE WITNESS: That's right.

THE COMMISSIONER: And in '83, for the first time, all carded athletes were required to include in their contract that they would not be in possession of or use anabolic steroids?

25 THE WITNESS: I believe that was put in the

contract, yes.

THE COMMISSIONER: As a condition of your being continued funding?

5 THE WITNESS: I don't recall even going through the contract in any great detail. I probably just signed it and--

THE COMMISSIONER: Nobody told you that?

THE WITNESS: No, it wasn't a concern. I wasn't told. I might have read it somewhere.

10 THE COMMISSIONER: You signed these contracts, did you, to get your funding?

THE WITNESS: I think you are supposed to.

THE COMMISSIONER: Well, did you?

15 THE WITNESS: I might have. You can check. I'm sure I did.

THE COMMISSIONER: But you didn't know that there was a provision in the contract itself which said, "I will not possess or use anabolic steroids?"

20 THE WITNESS: I think there is a clause there as to that effect.

THE COMMISSIONER: And nobody told you that? This was a contract with the Canadian Track and Field Association. You understand that?

THE WITNESS: It's a contract with them.

25 THE COMMISSIONER: Well, to get funded.

Was there ever any discussions since 1983 that apart from the danger to your health and the cheating, that also was violating the condition of your getting funded?

5 THE WITNESS: I don't think people are concerned with their funding as such. You're talking about these athletes that can probably afford to pay their entire staff.

THE COMMISSIONER: Well, they still take the money though.

10 THE WITNESS: I guess they did, but not because they needed it. It helped.

THE COMMISSIONER: But that was never discussed?

15 THE WITNESS: No, I don't recall it being a big issue in the contract.

THE COMMISSIONER: I see. All right.
Thank you, sir.

20 MR. ARMSTRONG: Mr. Commissioner, it being twenty to one or just about twenty to one, I think subject to your wishes, it would perhaps be better if we started with the next witness right after lunch.

THE COMMISSIONER: What's my wish got to do with this?

25 MR. ARMSTRONG: While we are not in a new phase but in a new session, I thought we might for the

first day pay attention to your wishes.

THE COMMISSIONER: Okay, we will adjourn
until 2 o'clock then.

---Adjournment.

5

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---Upon resuming at 2:05 p.m.

MR. ARMSTRONG: Mr. Commissioner, the next witness then is Mr. Timothy Bethune.

5 TIMOTHY BETHUNE: Sworn.

MR. ARMSTRONG: Thank you, Mr. Commissioner. Mr. Bethune, you were born in London, England on January 22, 1962; is that correct?

10 A. Yes.

Q. And you came to Canada and particularly in Toronto in 1963, and you have lived all of your life in Metropolitan Toronto, but more particularly in the Etobicoke area; is that correct?

15 A. That's correct.

Q. And I understand you attended public school at the Westglen Public School in Etobicoke and high school at Burnhamthorpe Collegiate where you obtained your grade 13?

20 A. That's correct.

Q. And then you went on to the University of Toronto, the Erindale campus at Mississauga where you obtained your BSc. degree in 1986?

A. That's correct.

25 Q. And you presently work in the Social

Services Department of the City of Toronto?

A. That's correct.

Q. And you of course are here because of your involvement in track and field, and I would like to
5 take a few minutes with you, as I have done with others, to discuss with you the track and field career which you distinguished yourself in for many years. Now, I understand that as early as about eight years old, you had an affinity for running, began running in the local parks
10 and by about 1976, I guess at about the age of 14, you began to take track and field in a very serious way, excelling in a number of events including the high jump, the long jump and virtually all of the sprints, but initially particularly the 100 metres?

15 A. That's correct.

Q. All right, then as well as track and field, Mr. Bethune, you were also a member of your local high school football team in Etobicoke as a wide receiver?

A. That's correct.

20 Q. And one other position I think you told me.

A. Fieldgoal kicker.

Q. That's right. I have a great affinity for fieldgoal kickers, and you apparently were goalie in
25 soccer and transferred your belly to kick the ball to

being a fieldgoal kicker in football. All right. And while apparently on the football team, your speed came to the attention of one of the coaches of a track club called the Etobicoke Striders, a club which you joined in 1976; is that so?

A. Yes.

Q. And indeed, through the course of the rest of your track and field career, you were associated with that track and field club?

A. That's correct.

Q. And at that time, Cecil Smith was a prominent member and coach of the Etobicoke Striders Track and Field Club?

A. Yes, he was.

Q. And he today is the same Cecil Smith who is the executive director or president I believe of the--perhaps it's executive director of the Ontario Track and Field Association?

A. Yes.

Q. Now, I take it like other athletes in the Metropolitan Toronto area, your track and field career was a bit double-barreled in the sense that you competed both for your high school team and also competed in non-high school events through the Etobicoke Striders Track and Field Club?

A. My involvement with high school was mainly, you know, in and around the springtime, and it dove-tailed mainly with my training with the track club. There weren't any coaches per se for high school that I
5 worked with in great depth. Yes, I was involved in both.

Q. Well, what we heard for example from Tony Sharpe was that he trained under first Peter Cross, then under Charlie Francis. When he was at the high school level, he was principally being coached by Peter
10 Cross of the Scarborough Optimist Track and Field Club, but when a high school meet would arise, the high school coach or physical education director or whoever may have asked him to compete for the high school and is that what happened in your case?

15 A. Yes.

Q. All right. Then in your age class, as I understand it when you joined the Etobicoke Striders, you progressed at a good rate going to the provincial championships. Ultimately, you reached a level of going
20 to the Canadian Junior National Championships in about 1978 or 1979?

A. That's correct.

Q. And up until that time, before we get to 1980, your career was at the 100 metre-200 metre level,
25 am I correct?

A. That's right.

Q. And it was about 1980 that the coach of the Etobicoke Striders, Mr. Brian McKinnon, made some suggestion that you might consider another event, am I
5 correct?

A. Yes.

Q. And just tell us about that, please.

A. Well, I was competing at a fairly high level for my age in the 100 metres, 200 metres, but my
10 acceleration was not explosive. You know, I wasn't quite as, you know, fast in accelerating as many of the other athletes. But I was a very strong person for my age, and in their opinion they felt that maybe the 400 metres would be a better event for me.

15 Q. So obviously you took their advice and switched to the 400 metres, did you?

A. Reluctantly at that time.

Q. All right. And then in 1980, did you run in the Canadian championships in the 400 metres?

20 A. Yes, I did.

Q. And how did you do?

A. Fourth.

Q. And that was an Olympic year, and the nationals I presume would have been the Canadian Olympic
25 trials as well as the Canadian National Championships?

A. I think so.

Q. So by then in 1980 at the age of 18, you were in a new event and the fourth best of what I would call a quarter mile or 400 metre runner in Canada?

5 A. That's correct.

THE COMMISSIONER: You said you switched reluctantly. Why was that?

THE WITNESS: Because the 400 metres is a painful race. The 100 was easy. It is a very short race,
10 but when you get to the 400s, it's really tiring.

THE COMMISSIONER: All right.

MR. ARMSTRONG:

Q. All right, and in 1980, did you make
15 the Canadian Olympic team?

A. No, I did not.

Q. That was the year also of the Junior PanAmerican Games, and did you compete in the Junior PanAmerican Games?

20 A. Yes, I did.

Q. And my note says that you came within 1/100th of a second of setting a new Canadian junior record?

A. Not in that race. I came within
25 1/100th of setting the Canadian junior record about a

month earlier. I was beaten in that race by the guy who did attain the Canadian junior record.

Q. All right. Then, Mr. Bethune, how did you do in the Junior PanAmerican games in the 400 metres?

5 A. I had a bronze.

Q. All right. And then did you run--were you a relay runner as well?

A. Yes, I was.

10 Q. And did you run the 4 x 4 in the Junior PanAmerican Games?

A. Yes.

Q. You did?

A. Yes.

15 Q. And then in 1980, that was the year that you got your C-card.

A. That's correct.

Q. And was that the first year you became carded by Sport Canada and the Canadian Track and Field Association?

20 A. Yes, sir.

THE COMMISSIONER: Were you at school at the same time?

THE WITNESS: Yes, I was in Grade 12.

25 MR. ARMSTRONG:

Q. Then, Mr. Bethune, also highlighted in 1980, by the end of 1980, although you had just started the 400 metres, you were ranked number 2 in Canada overall, not just among junior runners, but among all runners in Canada. You were ranked number 2 in the 400 metres?

A. That's correct.

Q. Now let's go to 1981, which would have been your final year of high school?

A. Yes.

Q. And during that year, some of the highlights were, first of all, you competed in the Canadian Junior Championships in St. John's, Newfoundland, where you were first in the 400 at a time of 46.75?

A. The time I'm not sure of, but I was the winner.

Q. All right. And then you also competed in the Canadian championships, the nationals, in Regina that year?

A. Yes.

Q. How did you do?

A. I was the winner there.

Q. All right. And again I have a note of 46.75, and does that ring a bell? That was your time in that race?

A. That's correct.

Q. All right. My notetaking wasn't as good the last time we met. It should have been. I apologize. Then you also, you were still a junior, you
5 competed both in Korea and Japan with the Canadian junior team that year?

A. Yes.

Q. And by the end of 1981, you were ranked number 1 in Canada in the 400 metres overall even though
10 you were a junior?

A. That's correct.

Q. And you were also ranked number 6 in the world by that time, am I right?

A. That's correct.

15 Q. And--

A. As a junior, not overall.

Q. I see. As a junior. All right, now 1982 I take it would have been your first year of university, and as you indicated earlier, that was at
20 Erindale College, University of Toronto?

A. That's correct.

Q. And did you typically in your track career run in the indoor meets that took place in Maple Leaf Gardens and I guess at the Old Hamilton Armories,
25 Ottawa, Sherbrooke and so on?

A. No, I did not.

Q. All right. And that year, 1982, you again ran in the national championships and that year you achieved a personal best time but came second?

5 A. That's correct.

Q. I take it there were in the course of your career, there were two or three 400 metre runners, Canadians, who were very close together in terms of one day you would win and one day one or more of the others would win?

10

A. Yes.

Q. And who were the others that were sort of up there with you?

A. Well, earlier on, 1979, '80, there was someone named Tom Hind, and in 1982, there was Doug Hine, the brother of Sterling Hine, and later on there were others, Mike Sokolowski and so on.

15

Q. Now, as a result of your becoming carded and then presumably associated with the national team or the national CTFA training program, did you begin to attend the training camps in the spring that were sponsored by the Canadian Track and Field Association?

20

A. Yes, I did.

Q. And, for example in 1982, did you attend a training camp in Colorado Springs?

25

A. Yes.

Q. And that included all of the national team, not just your club or somebody else's club?

A. All of the sprinters.

5 Q. All of the sprinters, I see, and I guess you have heard, you were the first 400 metre person we have heard from, but before you arrived, we have been told I think by Mr. Francis that the sprints start outdoors at 100 and go as high as the 400 metres I take
10 it. And at the Colorado Springs training camp, for example in 1982, was one of the national team coaches who was there Charlie Francis?

A. Yes, sir.

15 Q. And over the period of your career, did you get to meet and know Charlie Francis?

A. Absolutely.

Q. Did you form an opinion of him over the years as to his particular abilities as a track and field coach particularly, of course, related to the sprints?

20 A. Yes I did.

Q. And what was that opinion?

A. I felt he was a very knowledgeable coach, likeable, very protective of his athletes, mind you, but a very likeable person.

25 Q. And during the course of attending at

these training camps and so on, did you also come across the national team coach? I think I've given him the right title. If I haven't, I apologize. Gerrard Mach, was he a person known to you?

5 A. Yes.

Q. And he would be around I assume at these national team training camps that you would attend each spring?

10 A. From time to time he would drop in. He wasn't always there the whole time.

Q. All right. Now, 1982 was of course a Commonwealth Games year, and my recollection is that as in Olympic years, the national championships were used in a way for the trials for the Commonwealth Games?

15 A. Yes.

Q. And in 1982, the national championships, Commonwealth Games trials were held at the--

A. Ottawa.

20 Q. At the permanent site in Ottawa?

A. At that time they weren't permanent, but they were at Ottawa.

Q. Okay, and then did you compete in the 400 metres?

25 A. Yes.

Q. And where did you place in the
nationals?

A. Second.

Q. I take it then you made the
5 Commonwealth Games team in 1982?

A. Yes.

Q. And you then went to Brisbane,
Australia, and how did you rank in the 400 metres?

10

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A. I placed 7th in the finals.

Q. Then in the -- what about the 4 x 400 relay. I assume you must have been a member of that team?

A. Yes, we placed 4th.

5 Q. All right. Then, in addition to the training camps that you attended in the spring of the year sponsored by the CTFA, when you trained in the wintertime where did you train?

A. At first we had to train at the CNE.

10 Q. We've heard it described by various names as ---

A. The Pig Palace.

Q. The pig palace is the most endearing term I've heard.

15 A. Yes. Very accurate term, but, yes, for the first couple of years, '77, '78, '79 it was at the CNE. And then when York University ---

20 Q. Can I just stop you there? We've heard of some of the Scarborough Optomist atheletes who trained at the CNE. I take it that they didn't have exclusive licence to the training facility at the CNE, that other athletes associated with other track and field clubs in Metro also would go and train there?

A. That's correct.

25 Q. I'm sorry, I interrupted you. You said

after the CNE you then moved somewhere else?

A. For the winter, they built the indoor facilities at York University and our indoor training was done primarily up there.

5 Q. All right. And again, the York University facility is a facility that we've heard that is, in general terms, promoted, sponsored by both Metro Toronto and by York University.

10 So I take it that that facility was available during your day, not only to the Scarborough Optomist group but to your group in Etobicoke and others right around Metro?

A. That's correct.

15 Q. And I take it that you would, in training at the York University Metro Centre, meet the Scarborough Optomist people from time-to-time?

A. Yes.

Q. And see Charlie Francis there from time-to-time?

20 A. Yes.

Q. At some stage in your own track career and as you became carded, became a member of the national team and participated in these various meets, did you meet Ben Johnson?

25 A. Yes.

Q. About when was it you met Ben Johnson, do you recollect?

A. Well, I first remember him way back in 1977/78 when he first started. But, the first time I'd
5 ever, you know, met him as a person was in 1981 when we roomed together in France.

THE COMMISSIONER: I'm sorry. When you -- I didn't hear you. When you roomed together?

THE WITNESS: Yes, when we were on a
10 training camp we shared the same hotel room.

MR. ARMSTRONG:

Q. And this was in France, in Europe?

A. Yes.

Q. And over the years from 1981 forward, did you, from time-to-time, run into Ben Johnson and other
15 members of the Scarborough Optomist Track and Field Club?

A. Oh, yes. Being on the same team, we travelled a lot and, you know, we always used to talk.

Q. All right. And apart from the occasion that you've mentioned in France in 1981, were there other
20 occasions in which you became Ben Johnson's roommate?

A. Not to my recollection. I recall him complaining that I snored too loudly so I think he kind of
25 avoided being my roommate.

Q. I guess if that's the worse that people can say about you, you ought not to be troubled by that.

Then -- I'm sorry, as I sometimes do, took you down a side path. But coming back to the period of the early '80's, I want to move you into 1983. I think we've gotten as far as the Commonwealth Games in 1982 which I assume would have been the highlight of the 1982 year?

A. Yes.

Q. All right. And then going into 1983, I assume you'd be into a similar routine with a training camp in the spring. I think that year rather than being Colorado Springs, you were in Brigham Young University in Utah?

A. Yes.

Q. At that camp you would have run into the Scarborough group, plus Charlie Francis?

A. Yes, that's correct.

Q. And also presumably Gerrard Mach?

A. Yes, that's correct.

THE COMMISSIONER: Did they have a 400 metre runner, as well.

THE WITNESS: Yes, there were various 400 metre runners at that time.

MR. ARMSTRONG:

Q. That year, the World University Games were held in Edmonton and you were part of the Canadian contingent to the World University Games in Edmonton, is that not so?

A. Yes, that's correct.

THE COMMISSIONER: Are we in 1983?

MR. ARMSTRONG:

Q. Sorry, 1983. And indeed, you unfortunately went out early in the 400 metres but you and the other members of your 4 x 400 team were in the finals?

A. Yes.

Q. All right. Now, by this time in your career, if you can think back and I don't know whether you can put a time on it in any specific sense, so if I'm either suggesting too early or too late, let me know.

But, is there any talk among athletes, among people associated with the sport in track and field, that the use of performance enhancing drugs and, in particular, anabolic steroids was part of the sport insofar as it related particularly to sprinters?

A. Well, there were always -- there was always idle chatter and gossip.

Q. And I assume that the idle chatter and

gossip related to the fact that there was a belief that some athletes at least were in fact using steroids to increase their performances?

A. Yes, that was the general gist of it.

5 Q. And when you were at the Brigham Young training camp in the spring of 1983, was there any talk at that time among Canadian athletes about some Canadian athletes, without naming names, some Canadian athletes using steroids?

10 A. Not to my recollection.

Q. Then the 1983 year, I take it although it was a competitive year for you, was not, certainly looking back, not your best year in track and field?

A. That would be correct.

15 Q. Although, of course -- did you compete in Caracus in the Pan American Games?

A. No, I did not. That was a bit of a fiasco.

Q. What happened there?

20 A. Well, I had sort of anticipated -- we had a hand-out from the Sport Medicine Council of Canada that, you know, it's not as sanitary and, you know, in Caracus as it might be in North America and they had a big long list of, you know, medications and shots that you
25 should obtain before going down there.

And so I arranged with my doctor to get these injections and arranged my ticket so that I would only be down there for the minimum amount of time and, unfortunately, one of the injections I got made my legs so sore that I was unable to run and I only spent maybe one night in the village and, you know, I pleaded with Charlie to let me go with their group to a hotel in downtown Caracus rather than in the Athletes Village and I ended up spending all my time basically in the hotel room and I was unable to compete.

Q. And indeed, as a result of that, although you had a legitimate health reason for not competing, there apparently was some speculating that you may have dodged the meet because of the steroid issue that arose at the Pan American Games in Caracus, is that not so?

A. It came to my attention after but, strangely enough while I was there, I never heard any of the reports of positive steroid tests.

Q. All right. But was there some speculation about your using steroids at the time?

A. By one athlete.

Q. All right. Then, going to the 1984 year ---

THE COMMISSIONER: Well, I take it there was

no basis for that speculation?

THE WITNESS: That's correct.

MR. ARMSTRONG:

5 Q. I'm sorry. Thank you, Mr.
Commissioner, I should have made that clear.

Then, Mr. Bethune, going to the 1984 year,
that of course was an Olympic year and again you made the
Olympic team?

10 A. Yes.

Q. And you made the final in the 4 x 400?

A. Yes.

Q. In the Olympic team and made the finals
as well in the 400 metres?

15 A. Oh, no. I was eliminated in the first
round in the 400.

Q. I'm sorry. All right. Then, by 1984,
you were at a B card level in your carding?

A. No, I was still a C card.

20 Q. Still a C card? At some point in time,
though, you moved up to a B card?

A. Yes, after the Olympics I was moved up
to a B.

25 Q. Okay. So it would have been in the
fall of 1984 that you became a B card?

A. Yes.

Q. All right.

A. That's correct.

Q. Where -- looking at the fall of 1984,
5 post Los Angeles Olympics, going back to the University of
Toronto, would that have been your final year? I've just
kind of -- no, it wouldn't have been?

A. No, I kind of stretched my university
to five years to get my degree.

10 Q. In any event, where, if I can put it
this way and it may be a too general a question and if it
is, just give it a pass and I'll get more specific, where
did you see your track and field career sitting at that
point, looking back fall of 1984, post Olympics and
15 heading down the stretch in your University education.
You must have been wondering at that point just, you know,
where am I going?

A. Yes. I, at that time, I saw my career
going on past 1988 but it was still a priority in my mind
20 to complete university as quickly as possible and then at
that time, I could decide whether to train full-time or to
go to graduate school or whatever.

Q. And what conclusion did you come to?

A. Well, what I did was I upgraded my work
25 load at university so I could complete my, you know,

degree in a reasonable time and I tried to train as hard as I could in the meantime.

Q. All right. And then in the winter of 1985, you competed for the University of Toronto in the indoor championships?

A. That's correct.

Q. And you won three gold medals in those indoor championships, is that not so?

A. That's correct.

Q. As well, you were a finalist at the University of Toronto, nominated for Athlete of the Year?

A. That's correct.

Q. All right. And then what about the outdoor season in 1985, if you can sum that up for us? Where did you end up, in your own assessment?

A. Well, the outdoor season of 1985 was, you know, a pretty bad year for me. I was unable to surpass the times that I had, you know, set for myself in years past. You know, I was reaching a bit of a plateau; I was becoming frustrated. It was -- I was just down, mentally.

Q. Yes.

A. And I was devoting less and less time to my training because of school and I was beginning to suffer for it. You know, people were passing me by. You

know, my style became a bit sloppy, you know. It was becoming a bit of a joke.

THE COMMISSIONER: Where were you training at that time?

5 THE WITNESS: Outdoors, I would train primarily in Etobicoke at Centennial Stadium.

THE COMMISSIONER: With what group?

THE WITNESS: With the Etobicoke Huskies Striders Track Club.

10

MR. ARMSTRONG:

Q. And I didn't ask you this earlier and I should have, throughout the period that you were associated with the Etobicoke Striders Track Club, who was your coach?

15

A. For the first three years it was Bruce Mitchell and then Brian McKinnon.

Q. All right. Okay. Now, in 1985, more particularly in August, did you attend the World Student Games in Japan?

20

A. Yes, I did.

Q. And there were, of course, a number of other Canadian athletes, I assume, attending the student games in Japan?

25

A. That's correct.

Q. And when you were there, did you have occasion to enter into a discussion with Michael Dwyer who was 100 metre runner associated with the, I believe the Scarborough Track Club, the Scarborough Optimist Track Club?

A. Yes, I did.

Q. And was an athlete, a thrower, by the name of Michael Spiratoso also involved in that conversation?

A. Yes, he was.

Q. And would you just tell the Commissioner about the conversation you had, please?

THE COMMISSIONER: Is this in Japan?

MR. ARMSTRONG: This is in Japan.

THE COMMISSIONER: 1985?

MR. ARMSTRONG: August 1985, World Student Games and he was talking to two Canadians, Michael Dwyer, a hundred metre runner and ---

THE COMMISSIONER: I have the names.

MR. ARMSTRONG:

Q. Yes?

A. It was after my, as it turned out to be, the final race of my career. I just stumbled upon those two having a discussion about steroids and I was

more interested in this conversation than others because it dealt more specifically with the steroids scene in Canada and they were referring to the fact that there was a steroid epidemic of sorts among sprinters and among the throwers and that it was very prevalent at that time.

Q. And was there any discussion about whether or not steroids were indeed performance enhancing?

A. Well, Mike Dwyer had a book. The book was called 'Drug Use In Amateur Sport' and I took a photocopy of the book and read it and, you know, during the conversation they mentioned the fact that many of the Scarborough athletes were using performance enhancing drugs and Mike Spiratoso mentioned also that, you know, any shot-putter in the top 100 would have to be taking performance enhancing drugs. Otherwise, it would not be possible to reach that level.

Q. And do you know who the author of the book was that you took a copy of?

A. Yes, the author was Dr. Mauro DePasquale.

THE COMMISSIONER: I'm sorry, I didn't get the name?

MR. ARMSTRONG: Dr. Mauro DePasquale.

THE COMMISSIONER: Oh, yes, thank you.

MR. ARMSTRONG:

Q. And you said that you were more interested in this discussion than you had been in other discussions about steroids because it related specifically to the situation in Canada.

Did that lead you, during the course of this discussion, to inquire about or simply to learn about whether or not there were steroids available in the Toronto area and from whom they might be available?

A. Well, yes, because I had heard all kinds of rumors. The rumors had been around for a long time about, you know, Charlie and his group and, you know, I had made a few statements, you know, joking statements from time-to-time about certain, you know, members of that group and had been threatened with litigation if I had opened my mouth again.

So I, more or less, you know, avoided the subject. But the discussion was so frank that I said prove it. You know, if you guys are so sure, you know, then tell me who they're going to. I want to know. And so I was given a name.

Q. All right. And whose name were you given?

A. I was given Dr. Mario Astaphan.

Q. All right. And did you do anything

about that as a result of being given Dr. Astaphan's name?

A. Not immediately. I just sort of took -- stuck it away in my little black book, you know, and went on.

5 Q. I apologize, and perhaps it's clearer from the answers that you've given and I haven't paid sufficient attention but in what context was Dr. Astaphan's name given. Was it given as a doctor or given as somebody from whom you could get steroids, or both?

10 A. Yes. Basically what I said was what doctor, you know, would possibly give athletes performance enhancing drugs, given, you know, the fact that they're banned. What doctor would possibly do this? And I didn't expect to get anybody but that was how I was given his
15 name.

Q. So, it was presumably either Spiratoso or Dwyer or both who provided that name?

A. I believe it was Mr. Spiratoso.

20 Q. Now you say you just kind of filed the name away and didn't do anything about it immediately.

Some time later, did you do something about being provided with Dr. Astaphan's name?

A. Yes, I did.

Q. What was that?

25 A. I decided to see if there was any

substance to these claims by phoning him and asking for an appointment.

Q. Now -- well, let me just ask you this next question and then I'm going to go back for a moment.
5 I assume you phoned?

A. Yes.

Q. Got his receptionist?

A. Yes.

Q. Made an appointment?

10 THE COMMISSIONER: He's got to come back from Japan first. We've left him in Japan at the moment.

MR. ARMSTRONG:

Q. Well, did you call direct from Japan?

15 A. No, no.

Q. You came home from the World University Games in August?

20 A. I came home, I got the notice that I was no longer going to be carded for that year and after a few days of sitting around, you know, thinking about what I was going to do with my life, I decided to give him a call.

25 Q. Okay. I'm sorry because I -- the Commissioner is right for trying to get me back on track. I got you well ahead of the game.

I, in my own mind, from the discussion you and I had, I thought that you got the information about being carded later or not being carded later than you did.

5 So, I'm going to ask you a little later about a conversation that you had with Abby Hoffman. I take that comes later, though?

A. That came before my call with Dr. Astaphan.

10 Q. All right. Perhaps you better just tell us about the conversation you had with Abby Hoffman, Miss Abby Hoffman, the Director of Sport Canada?

15 A. Well, generally, you tend to know whether you're going to be carded from one year to the next. You know, you get your money in September for the start of that fiscal carding year and, you know, coincidentally, you know, it was the start of my university year.

20 At that time I was going into my final year at University of Toronto and I still had no word in early September as to my status in carding.

25 So, I phoned the Canadian Track and Field Association and I asked them what the situation was because my performances had not improved again in 19 -- in the 1985 track and field season. And I was told that my name had been put forward by the Canadian Track and Field



Association for carding and that's all the CTFA can do. They put the names forward, recommending to Sport Canada that, you know, these people be carded and then Sport Canada makes the final decision.

5 Well, when I contacted the Canadian Track and Field Association, a couple of weeks after I got back from Japan, I was told that I would not be carded for the 1985/86 year.

10 Q. This -- the Canadian Track and Field Association said that or Sport Canada?

 A. Well, first the Canadian Track and Field Association said that. And I asked why and they said, well, we don't know. We put your name forward to Sport Canada and they rejected you.

15 And at that point, I asked, well, who makes the decision as to whether or not it gets carded or not? And I was told Abby Hoffman did.

20 So, I phoned Abby Hoffman sometime later, maybe a day, and I asked her why I -- why they had decided not to card me. And Miss Hoffman stated that my performances had failed to improve, that, you know, I basically was not good enough and I asked her to take into consideration the fact that, you know, I had some injuries at that time, I was going to university full-time.

25 Therefore, you know, my full attention wasn't going to be

you know, diverted to training. But, you know, following the end of this university year, I would train full-time and if they could just, for one year, card me, you know, I would prove to them that I still had you know, some good
5 years left in me seeing as I was only 22, 23 years old.

And she basically said, no, you're not good enough. There is nothing we can do. Your performances are just, you know, not up to par; I'm sorry.

Q. All right. And all of that was before
10 you made the telephone call to Dr. Astaphan's office?

A. That's correct.

Q. And what -- so then -- I'm being a bit cautious here because I don't want to get the story out of order -- was the next thing you did after that telephone
15 call, not necessarily the next moment, but the next significant thing related to your situation. Was it the making of the telephone call to the receptionist of Dr. Astaphan?

A. No.

Q. All right.
20

A. At that time I was faced with a very difficult dichotomy. It was a crossroads. I could either go ahead and train without funding and work full-time or, you know, try and, you know, raise the money somehow to go
25 to school or I could, you know, go to school and forget

about my track career. I had to decide which was more important, money or school.

Q. I suppose if you went to school and forgot about your track career you would go to school and work part-time, is that it?

A. Either that or I would just drop out for a year and work, period, or there was a third option which I decided to take.

Q. All right. Before we get to the third option, I suppose also up to this point in time, if you have been going to university, all of your spare time has been taken up with your track career?

A. Absolutely.

Q. Were you able, in addition to that, to do any part-time work at all?

A. No.

Q. So I take it from that then that the money that you got through being a carded athlete was fairly significant to you as a university student?

A. It was all I had. The carding money itself primarily went to pay my residence and food and the Sport Canada allowance paid my tuition. Or, sorry -- yes, they paid my tuition as an additional benefit.

Q. So then, Mr. Bethune, you were, as you indicated, at this crossroads and you have reviewed with

us two of the alternatives that were available and under consideration by you. You said there was a third alternative and what was that?

A. To retire.

5

Q. Yes?

A. Sport Canada had initiated a new policy whereby those athletes who had been carded for more than three consecutive years were entitled to an additional year's worth of carding upon retirement to help them, you know, ease the transition into normal life. And I decided that it was the only way.

10

Q All right. And is that the option you chose?

A. Yes, it was.

15

Q. And then what about the phone call to Dr. Astaphan then? Tell us about that? Why did you make the appointment with Dr. Astaphan?

A. Well, I wasn't very comfortable about retiring. I really didn't think that I was, you know, a bad athlete. You know, an athlete, who was, you know, who would have been an embarrassment to the country.

20

So, I -- it was -- I don't know, emotionally, it was a very difficult time for me. I just decided to follow up that call just to see if what the gentlemen were saying was true.

25

Q. And the appointment then was made for some time in September, was it?

A. That's correct.

Q. And did you keep the appointment?

5 A. Yes, I did.

Q. And what happened? I assume that the appointment was made at Dr. Astaphan's office?

A. Yes.

10 Q. Where was that located at that time, do you remember.

THE COMMISSIONER: I'm sorry, I can't hear you, Mr. Armstrong.

MR. ARMSTRONG:

15 Q. Sorry. Where was that located at that time, do you remember?

A. It was located on Keele Street, just north of the 401.

20 Q. And what happened when you got to Dr. Astaphan's office? Just relate that, if you would, please?

A. What happened was, I was sitting there wondering how on earth I was going to broach the subject to this man.

25 Q. The subject being what?

A. Anabolic steroids.

Q. Yes?

A. And I was sitting in his waiting room when all of a sudden a familiar face appeared in the waiting room.

5

Q. And who was the familiar face?

A. Ben Johnson.

Q. Yes?

A. And you knew Ben Johnson at this point in time, of course, because you indicated to him back as early as the late '70's ---

10

THE COMMISSIONER: Well, I think he's told us over he's known him over several years.

15

MR. ARMSTRONG:

Q. Yes, the late '70's?

A. Yes, we knew each other very well and it was because of that, that when we both sat down, you know, there wasn't very much said between us. We just looked at each other and we both knew why we were there.

20

Q. And why do you think you both knew why you were there?

A. Because Ben was there in his track suit and I -- well, it was just the look he gave me, you know. It was a look of shock, a look of surprise like, 'Oh, my

25

God, how did he know' kind of look.

Q. All right. And then what happened next after Ben Johnson arrived?

5 A. Well, we, you know, exchanged pleasantries and we sat for a couple of minutes and then Ben was asked into the doctor's office.

10 And, you know, Ben arrived after me but he was asked to go in first and he got up and walked into the office and just before he went in, he turned around and motioned for me to follow him.

Q. Yes?

A. And so, you know, I was stunned but I followed him in.

Q. Yes?

15 A. And there was the three of us; Ben, Dr. Astaphan and myself.

Q. And was there any discussion between Dr. Astaphan and Ben Johnson or between Dr. Astaphan and you or the three of you?

20 A. For the first ten minutes it was basically Ben and Dr. Astaphan having a lively discussion about track.

THE COMMISSIONER: Perhaps you can ask him about what was said.

25

MR. ARMSTRONG:

Q. Yes. That was my next question.

A. Oh, about track and field, about Charlie, general stuff. Nothing specifically relating to any programs or protocols. Just, you know -- you know, talking as if, you know, he was a great fan and a knowledgeable fan and someone who took, you know, an interest in the careers of Ben and, you know, the Optomist group.

Q. All right. So this presumably then basically was a discussion between Mr. Ben Johnson and Dr. Astaphan?

A. Yes. I was introduced to Dr. Astaphan a little bit later.

Q. All right. Then did anything occur between Dr. Astaphan and Ben Johnson while you were there, apart from this discussion that you've related about track and field?

A. Yes. During the discussion the doctor pulled away from his desk and took out a bottle and a syringe.

Q. Yes?

A. And proceeded to fill the syringe with a liquid.

Q. Yes?

A. And at that time, Ben got up and pulled his track pants down and, at that time, Dr. Astaphan walked towards Ben and injected him with this liquid.

5

10

15

20

25

Q. All right. Now, were able to see what color the liquid was?

A. Yes, the color, to the best of my knowledge, was a caramel, reddy-brown I suppose.

5 Q. All right. And into what part of his body was he injecting?

A. Into the upper portion of his buttocks.

10 Q. All right. And was there any discussion that took place between Dr. Astaphan and Ben Johnson at the time of this injection having been carried out?

15 A. Not specifically relating to the substances that were being administered. Just "how is your training going, what are you doing"; you know, he took a very great interest in Ben's progressions and his --

Q. All right. After Ben Johnson received the injection, what happened next?

20 A. After another minute or so Ben said "well, I will see you later", and the doctor mentioned something about, you know, being out at the track some time later, speak to Charlie sometime, and Ben left.

25 Q. Then when he left, presumably the doctor must have wanted to know what the nature of the visit was, what it was you wanted?

A. Yes.

Q. Tell us then what happened. Did he indeed ask you why you were there?

5 A. Well, at first he entered into a bit of a discussion. I asked him if he knew who I was. He said "yes, I knew who you are, I follow track a great deal". And we had some small talk. I guess it was just a little time to get comfortable. And then he said, "well, what would you like?" And I said to him "I would like to go on
10 Ben's program."

Q. What was his response to that?

A. He said, "Okay. Before we do anything, I would like you to go have some tests done at the lab."

Q. Yes.

15 A. And so I went to the laboratory located across the hall from his office and had some blood and urinalysis tests done.

Q. All right. Before you are going to have the urinalysis and blood work done, was there any
20 medical history taken of you, any physical examination done of you?

A. I seem to recall a brief physical, you know, blood pressure, heart rate, reflexes, nothing really, you know, detailed. I think, you know, the main
25 thing the doctor needed to know was my internal workings

if they were okay.

Q. Now, you said that during the course of this discussion with Dr. Astaphan after Ben Johnson had left that you said you wanted to go on Ben's program and
5 his response was that, "All right, I will have to have some tests done" or words to that effect. Was there at that time any indication to him -- any indication from him as to what Ben's program was?

A. No, and I said it not knowing what it
10 was either -- well, in his mind I am sure he knew what I meant, but in my own mind I had no idea what Ben's program was.

Q. All right. And then after you had gone to the lab and provided the blood sample and the urine
15 sample, did you go back to his office or was that the end of your first meeting with Dr. Astaphan?

A. I phoned the doctor a few days later to find out the results, and they were okay. And I made an appointment the next week.

Q. And did you keep that appointment?
20

A. Yes, I did.

Q. Tell us about what occurred on the next appointment with Dr. Astaphan?

A. I asked the doctor, you know, is
25 everything okay with my body and he said, "yes, it's fine.

There should be no problems and we chatted some more, you know, each visit was always a long chat. And after the chat, you know, he got down to business.

Q. All right. So what happened when you
5 got down to business -- well, perhaps I better ask you this: the long chat that you had, I don't want to be faced with a lost opportunity, on this second occasion, did it specifically have anything to do with Ben's program?

10 A. I think at that time I reiterated the fact that I wanted to go on Ben's program.

Q. Yes.

A. Knowing how well he had done at the
15 Olympics in '84, and how his, you know, times kept getting better and better.

Q. All right. And what was Dr.
Astaphan's response to that? You had had the tests done now, and you had been there the first time, he had done some examination of you?

20 A. He said basically okay.

Q. All right.

A. And he -- well, he proceeded to
administer the same injection that Ben had received.

Q. All right. And you mean it had the
25 same appearance of a caramel color?

A. Yes.

THE COMMISSIONER: Did he tell you what it was.

THE WITNESS: I did ask him and he said it was growth hormone.

THE COMMISSIONER: All right.

MR. ARMSTRONG:

Q. Did he say whether there was any other substance in it other than growth hormone?

A. No, and I didn't ask him.

Q. And then was there ever at that time or any other time you saw Dr. Astaphan any discussion about a substance called Inosine?

A. Not to my knowledge.

Q. At that time or any other time that you saw Dr. Astaphan any discussion with him about a substance called Vitamin B-12?

A. Not that I can remember.

Q. All right. So, presumably the injection of this caramel color liquid, was that into your buttocks, into what we have heard described as the gluts area?

A. Yes, into the upper quadrant.

Q. All right. Was there any other drug

administered to you or given to you at that time?

A. At that time, he poured some pink pills into a white envelope.

Q. Yes.

5 A. And sealed it and said to take one a day and come back next week and I will give you more.

Q. Now, at that time, did you ask him what the pink pills were?

A. No.

10 Q. All right. Now, Mr. Bethune, did you indeed go back to see him the next week and on subsequent weeks?

A. Yes.

15 Q. All right. And when you went back to see him the next week and on subsequent weeks, did you receive the same kind of injection?

A. Yes.

Q. That is of a liquid that you have described as caramel in color?

20 A. Yes.

Q. And --

THE COMMISSIONER: As far as you are aware, it was a growth hormone; is that what you were told it was?

25 THE WITNESS: He told me what it was and why

he was doing it.

THE COMMISSIONER: He told you it was growth hormone.

THE WITNESS: Yes.

5 THE COMMISSIONER: That was the only drug that he was giving you was the growth hormone.

THE WITNESS: No, this was in combination with pills in the envelope.

10 THE COMMISSIONER: I am sorry, the only injection then was the growth hormone and the other was the small little pink pills.

THE WITNESS: Yes.

MR. ARMSTRONG:

15 Q. Why did he say that -- or sorry, rather, what did he say when you said he told you why he was doing it or why he was giving it to you? What was the growth hormone explanation?

20 A. He told me that he was administering that because the tendons and ligaments would not be able to take the added strength of the muscles unless, you know, they themselves grew. And the steroids were only effective in building up the muscles, not in building up the connective tissues. So, the growth hormone injections
25 built up the ligaments and connective tissue so that you

wouldn't rip the muscle away from the bone.

THE COMMISSIONER: But the pink pills were anabolic steroids, you think?

THE WITNESS: Yes.

5 THE COMMISSIONER: He told you that?

THE WITNESS: Eventually.

THE COMMISSIONER: I am sorry.

MR. ARMSTRONG:

10 Q. Now, just following that up from the Commissioner, you have told us that on the first visit Dr. Astaphan didn't tell you what the pink pills were. Now, at what point, as you say eventually, did he tell you what the pink pills were?

15 A. I can't recall the exact visit, but it was at least three or four visits into -- no, even more I would say a good month or more into my visits when I, you know, finally had the nerve to ask him because at that time I wanted to pretend like I knew what was going on.
20 You know, I didn't want to, you know, create the appearance, you know, that I was naive, you know, lest he get suspicious.

And he had always, you know, pour out the pills into an envelope and then throw the bottle away.
25 And one day when he threw the bottle out, I said, "Can I

take a look at the bottle that you threw out." And he said "Sure." And so he reached into the garbage and pulled out the bottle and I read it.

Q. What did the bottle say?

5 A. It said Winstrol-V.

Q. Yes.

A. For veterinary use only.

Q. Winstrol-V for veterinary use only?

A. Uh-huh.

10 Q. All right. Now I just want to show you a pill bottle or a pill container that has a label on it. Would you just look at that label and tell me if you recognize that bottle and that label as being similar to the one that Dr. Astaphan threw out that day?

15 A. Yes, it is similar.

Q. All right. And indeed this pill bottle contains the name on it Winstrol-V. And above the large lettering Winstrol-V are the words "veterinary use only"?

20 A. Yes.

Q. And underneath the description Winstrol-V is contained the word "Stanozolol" or the words "Stanozolol tablets". Do you see that?

A. Yes.

25 Q. Do you remember whether the label you

saw on such a bottle contained the description Stanazolol tablets or?

5 A. No, I don't remember reading that portion. I just saw Winstrol, which was a name I was familiar with.

THE COMMISSIONER: I am sorry, Winstrol-V and words "for veterinary use only", that's all you can remember?

10 THE WITNESS: That's all I can remember.

MR. ARMSTRONG:

Q. All right. I take it back in 1985 the word Stanazolol was not quite a Canadian household word at that time?

15 A. Nor was it in my lexicon.

MR. ARMSTRONG: All right. Could I have, Mr. Commissioner, this package --

THE COMMISSIONER: Next exhibit, please.

THE REGISTRAR: 128.

20 MR. ARMSTRONG: Might as well, just so you know, Mr. Commissioner, is simply a sample bottle that we have --

THE COMMISSIONER: Do you want to open up the box to see what is in there.

25 MR. ARMSTRONG: Yes, that's perhaps not a

bad idea.

THE COMMISSIONER: Unless you want to keep
it a secret.

MR. ARMSTRONG: It's a milky white
5 substance in here.

MR. ARMSTRONG:

Q. There is a pink pill in this container.
And will you just take that pill in your hand and take a
10 look at it and tell the Commissioner whether that pill
appears to be similar to the ones that Dr. Astaphan gave
you back in the fall of 1985?

A. Yes, they are the pill.

Q. All right. Just so that we have it on
15 the record, these are small pink pill with a scoring mark
across one side and the letter W on the other?

A. That's correct.

--- EXHIBIT NO. 128: Bottle containing pink pills
20 labelled Winstrol-V

MR. ARMSTRONG:

Q. Now was it of any concern to you, Mr.
Bethune, that apparently these pills you were getting came
25 from a container that contained the qualification for

veterinary use only?

A. The whole exercise was of deep concern to me and, you know, those close to me. And, you know, I never intended to follow through with, you know, this, you know, except to, you know, as a, I guess, a personal journey. And -- but once I saw the, you know, words for veterinary use only, it shocked me, you know, into -- you know, I guess it put sense into me that, hey, there is something wrong, you know, you shouldn't be fooling around with your body taking things that are meant for animals.

Q. All right. Did you keep any of the pills at all that had been given to you by Dr. Astaphan?

A. No, I ended up throwing, you know, them out soon afterwards.

Q. All right. And you have told us that he gave them to you in an envelope so I assume that even if you had the envelope it wouldn't tell us anything because it would just be an ordinary envelope?

A. Yes, it was plain white.

Q. Just out of abundance of caution I will ask you: did you ever keep the envelope in which the pills came?

A. No.

Q. All right. Now, the OHIP records which we have for you, which will be entered at the

appropriate time, indicate that you saw Dr. Astaphan on the 12th, the 19th, and the 26th of September, 1985. That you saw him on five occasions a week apart approximately -- well, exactly a week apart in October of '85. And on four occasions in November, a week apart.

THE COMMISSIONER: Well, did you make all those visits.

THE WITNESS: To be perfectly honest, I am not sure if I made every single visit that is recorded on those OHIP records.

THE COMMISSIONER: Were you going once a week at that time pretty well? I am sorry, was it once a week, Mr. Armstrong.

MR. ARMSTRONG: There are three days in -- or what did I say, sorry three days in September, five in October.

THE COMMISSIONER: No but one week a art.

MR. ARMSTRONG: They are one week apart.

THE COMMISSIONER: All right.

MR. ARMSTRONG: And four in November a week apart. And if I could, I will just finish the list, so you will have it complete, sir.

MR. ARMSTRONG:

Q. Four in December, virtually a week

apart except the final one in December is eight days apart.

THE COMMISSIONER: '85.

5 MR. ARMSTRONG:

Q. That's '85. Then '86, the OHIP records show you going to Dr. Astaphan on January 2, 8, 16, 23, and 31, again more or less a week apart on five occasions.

10 And the last indication is that you went to Dr. Astaphan on February the 6th, 1986.

So, really starting on September the 12th through 1985 through to February 6, 1986, the report indicates once a week?

THE COMMISSIONER: Once a week.

15 THE WITNESS: I might add that not all the visits were connected with, you know, the previous subject. I did see him as a normal doctor on more than one occasion.

20 THE COMMISSIONER: I see. By the way, were you in training again at this stage?

THE WITNESS: No, that's really --

THE COMMISSIONER: You were just experimenting with steroids.

25 THE WITNESS: I was just being foolhardy, I suppose.

THE COMMISSIONER: But you weren't in training at all?

THE WITNESS: Not really.

THE COMMISSIONER: Not getting back on your sprinting career?

THE WITNESS: No, I never did train regularly after September of '85.

MR. ARMSTRONG:

Q. I see. And --

THE COMMISSIONER: Were you working in a gym? I don't quite follow what you were doing.

THE WITNESS: I, at that time, I was going to school full time and working more or less full time as well, you know, while I was receiving my retirement benefits.

THE COMMISSIONER: So when you were using the steroids, you weren't using them in accompany with any sort of physical exercise?

THE WITNESS: Not on a regular basis. You know. I made the occasional, you know, trip to train, but, you know, I never went for more than maybe a week or two at a time. You know, I would be gone for long periods and then I would show up, and, you know, train for a short period of time.

THE COMMISSIONER: But were you planning at that time to resume your spring career?

THE WITNESS: No, I -- you know, I was done. It was, you know, at that time it was a very
5 difficult thing for me to, you know, say good bye to break away. You know it wasn't --

THE COMMISSIONER: Perhaps I am wrong, though, that the purpose of having been disappointed and not getting carded again and having this decision to make,
10 you sort of formally retired in one sense, but it was still in your mind to make a comeback.

THE WITNESS: No, I was fed up with --

THE COMMISSIONER: So going to Dr. Astaphan, was that just a matter of curiosity?

THE WITNESS: It was -- it was more to -- I
15 just wanted to know the truth. Nobody told me, you know -- you know everyone talks about how much common knowledge steroid use was, but I didn't know. And although I had read that, you know, it had all these
20 effects on, you know, improving you, I didn't know that either. You know, any training that I did was more or less to see for myself exactly how it improved, because you know, I was a very strong person, you know, I was big and strong. And you know, even Charlie's athletes, you
25 know, who were on steroids, you know, they weren't really,

you know, very much stronger than I was naturally. And I couldn't imagine how, you know, a pill, you know, could make you any stronger, could make you any faster.

5 I had, you know, literally overtrained throughout my whole career and, you know, I was full of self doubts, full of, you know, I just had a lot of personal questions --

THE COMMISSIONER: I understand.

THE WITNESS: -- that I wanted to answer.

10 THE COMMISSIONER: I am sorry, I took you off your course, Mr. Armstrong, but I gather are we right -- was Mr. Armstrong not right, was it January of 1986 that you stopped seeing Dr. Astaphan approximately.

THE WITNESS: Around then.

15 THE COMMISSIONER: All right.

MR. ARMSTRONG:

Q. Indeed the last visit we have I think is February the 6th.

20 THE COMMISSIONER: I am sorry, February.

MR. ARMSTRONG:

Q. Which would mean really, counting on my fingers, October, November, December, January, into
25 February, you are going to him over a roughly a five-month

period?

A. Yes.

Q. And almost, well really at one-week intervals according to these records?

5 A. According to those records, but not in my mind.

THE COMMISSIONER: Not necessarily for steroids, but did you see him once a week for the steroids plus any other problems you may have had?

10 THE WITNESS: Possibly. That whole time period, it is, you know, it seems a little longer than I would seem to recall, but it's possible.

THE COMMISSIONER: All right. Mr. Armstrong, perhaps we should take a short break. It was
15 suggested to me that the afternoon is a tiring one for the witness so we will take a short break.

MR. ARMSTRONG: All right.

--- Short recess.

20

25

Q. Mr. Bethune, just going back to your discovery that these pink pills appeared to come from a container that said "Winstrol V for veterinary use only," did you as a result of getting that information stop taking the pink pills?

A. Yes, I wound down my use of it. You couldn't just stop cold turkey. Apparently it's dangerous to do that. You have to gradually stop taking it, taking lesser and lesser dosages.

THE COMMISSIONER: When Dr. Astaphan first gave you the pink pills, he didn't tell you the name of these but you knew it was a steroid. He told you that?

THE WITNESS: Yes.

MR. ARMSTRONG:

Q. Did you--sorry, you seem puzzled by that last question.

A. Well, he didn't actually say this is a steroid. He just said take them like so.

THE COMMISSIONER: You didn't know--

THE WITNESS: I didn't know what it was. There were no written instructions or anything--

THE COMMISSIONER: You went there for the purpose of getting on a steroid program. Isn't that right? When you said you wanted what Ben -- the Ben

Johnson protocol, what did you mean by that?

THE WITNESS: What it meant in my own mind was whatever Ben and the Optimist Track Club was doing at that office, you know, I would soon find out. I still was not 100 percent sure. I didn't, you know, refer to any particular protocol or anything like that. I just said to him I want to go on Ben's program. That was it.

THE COMMISSIONER: I'm sorry, I misunderstood you. I thought you said at this stage, having watched the development of other athletes and their increased performance, that you attributed--they were doing better because they were getting some assistance someplace?

THE WITNESS: I had very strong reasons to believe that.

THE COMMISSIONER: Well, in what way? Assistance from what though?

THE WITNESS: From their improvements.

THE COMMISSIONER: What type of assistance did you think people were getting?

THE WITNESS: Assistance in terms of--

THE COMMISSIONER: You were thinking they were getting some medication of some sort to help them perform. Not just better training facilities, a better trainer. You went to a doctor?

THE WITNESS: Yes.

THE COMMISSIONER: To get help?

THE WITNESS: I went to the doctor to find out, you know, whether the rumours that I had heard and the information that I obtained was true.

THE COMMISSIONER: What rumours were those? I don't understand that. What rumours did you hear?

THE WITNESS: Well, the ones in Kobe, Japan.

THE COMMISSIONER: About what though?

THE WITNESS: About Dr. Astaphan and about the drug epidemic.

THE COMMISSIONER: What kind of drugs though?

THE WITNESS: Steroids.

THE COMMISSIONER: Okay.

MR. ARMSTRONG:

Q. Mr. Bethune, I just want to see if I can help you a bit in your recollection. You at one time gave a statement which you released to us to a gentleman by the name of Mitchell R. Nan. Do you remember meeting with Mr. Nan?

A. Yes.

Q. And you have read over the statement that you gave to him?

A. Yes.

Q. And there is no doubt in your mind that that statement is accurate?

A. At that time I believed it to be.

5 Q. All right. And I just want to read to you or read with you something that you said in this statement on page 2 where you had gone to Dr. Astaphan's office after the initial lab results were obtained, okay, and if we could just read, I have got it yellowed out in
10 highlighter. The main part but just above that, you have said, "Dr. Astaphan described my results as being normal, and we chatted about the track. He was an avid track and field man. We discussed the Scarborough Optimist Club at some length, particularly as it had to do with the use of
15 steroids. We talked about steroids at various times in the conversation. We discussed how widespread the use of steroids were. We drifted on to how widespread steroid use was in East and West Germany, the eastern bloc countries in general. He told me definitely that Ben
20 Johnson and Angella Issajenko were on steroids, that is, on his program. He left no doubt in my mind." Now, did you tell that to Mr. Nan when he met with you I believe last November?

A. Yes.

25 Q. And is that true?

A. Yes.

Q. Fine. Then did Dr. Astaphan ever discuss with you any of the side-effects of steroids?

5 A. I asked him about that. I referred to certain side-effects that I had read in the book that I had obtained in Japan, and Dr. Astaphan was quick to assay any worries that I had. He said that the dosages I would be taking, there would be no side-effects.

10 Q. And did you ever have any discussion with Dr. Astaphan about whether or not the steroids that you might take from him in his program would be detectable or not?

15 A. Yes, I asked him, you know, how do you guys deal with the fact that, you know, meets are upcoming and clearance times, and he went on about how as long as you go off the steroid in a certain period of time before a track meet, that they would wash out of your system basically because they are water soluble. And that the West Germans have made this part of clearance times into a
20 bit of a science where they can almost predict to the day how long you will, you know, have to stay off the drug before you test clean. And, you know, I think one of our visits was basically a discussion of clearance times and, you know, how you beat the system.

25 Q. And indeed did you gain any

understanding or opinion from your discussion with him as to his particular expertise in the administration of steroids?

5 A. Yes. In fact, I asked him what kind of you experience do you have in this kind of area, and he told me he has many years, 15 or more years of experience with steroids with athletes and nobody had ever been caught.

10 Q. And, in fact, that was then a point that he made, that none of the athletes on his program had yet been caught? Is that so?

 A. That's right.

15 Q. And all of that conversation that we have just gone over, that is the use of steroids by the Scarborough Optimists, the use of steroids generally in East and West Germany and the eastern bloc countries and the program that Ben Johnson and Angella Issajenko were on and his expertise in steroid administration, that all took place really at that meeting that you had with him after
20 you had the results from your lab tests and you and he were contemplating your going on the steroid program; is that not so?

 A. No. Actually, what I was saying in that statement was I guess the culmination of, I guess,
25 many weeks worth of discussions sort of pieced together

and just the main points of what we had discussed, you know, over I guess the weeks that I had been there. You know, these discussions, these conclusions that I drew were as a result of many weeks of discussions, although the clearance time discussion did take place on one day.

Q. Well, probably not very much turns on it, but let me see if I can help you again. Just following on from where I left off in the statement that I read, you say, "I had engaged Dr. Astaphan in this discussion". That's the discussion that I have read to you earlier, "because I wanted to be sure in my mind that his steroid program was safe and that he himself knew exactly what he was doing. I was not, however, that trusting. I wanted to be sure that he knew how to administer steroids in the fashion that detection was not possible. He was able to convince me that he was an expert in all aspects of steroid administration. He pointed out that all athletes on his program have yet to be caught," and going to the top of the next page, "he was thus able to convince me. He then gave me a supply of pink pills. His instructions were to take one per day weekly for the first week, then for the second and third week, to take two and three per day respectively. I was then to cycle down, that is, after the third week, take two per day for one week, one per day for the last week of

this five-week program. I was then to remain off this program for five or six weeks. I also received from Dr. Astaphan my first injection of growth hormone. He himself had referred to the substance as growth hormone."

5 Now, is that part of your statement that you gave to Mr. Nan back on November the 2nd, 1988?

A. That is the statement as you read it.

Q. And is that true?

A. Well, yes, but I would like to qualify
10 part of it. You know, what he convinced me of was the safety factor of, you know, the program. I wasn't concerned with clearance times so much for myself except to establish his credibility in my mind as someone who's capability of doing this. Again I reiterate. I was not
15 planning to make a comeback at that time.

Q. No, no, I understand that. But all I wanted, Mr. Bethune, to refresh your memory on was that before you got into the program and particularly before you got into taking the pink pills, you knew, he knew that
20 what you were talking about was that you were embarking upon the taking of a steroid program?

A. Yes.

Q. And it seemed to me that what you were saying in response to questions earlier from me and
25 perhaps the Commissioner, that perhaps you weren't all

that sure of what it was you were doing, but this statement establishes beyond per adventure, you will agree, that from the outset, you and Dr. Astaphan were talking about steroids and there can be no doubt about that?

A. Yes.

Q. All right. Then following up from some of the answers to questions from the Commissioner that you took, I'm still a little, if you will forgive me, mystified and it may be my fault as to what this steroid program was meant to do. Was it meant to satisfy your curiosity as to whether what Mr. Spiratoso and Dwyer had told you back in August in Japan, that is that steroids were freely available in Toronto from Dr. Astaphan, or was it intended to do more than that, and that is to assist you on some kind of comeback in your track and field career to get you from being a retired athlete into the category of a fully carded athlete?

A. No, I had earlier-- like I said, I had struggled with that dichotomy, whether to go on and train anyway, although I was not carded, or to retire, and I decided that in the long run, a university degree was a better investment than a placing on the national track and field team. Yet, the decision to retire was not a very easy one or a very happy one for me, and knowing this

information, going through with all this, at least gave me some idea in my own mind that, hey, at least I was able to accomplish all this in my-- you know, naturally and not perhaps the people who I competed against were the recipients of this kind of program. And, you know, I guess what I wanted to find out once and for all was does this program work. I mean, sure you can go on a steroid program and, you know, it may or may not do anything for you. Not only did I want to know that it existed, but I wanted to know that it worked and that it did, indeed, aid in performance enhancement.

Q. How were you able to establish that because I thought before the break you had told the Commissioner that you weren't really training while you were on the steroids.

A. And that was how I knew because despite the fact that my training was very infrequent, I still managed great performance gains.

Q. And indeed I guess maybe we have been talking at cross purposes here, although you weren't in a full-blown training session leading up to a competitive season in the fall of 1985, you were still working out and doing what the ordinary person might describe as training by doing physical exercise and doing some running and so on, were you not?

THE COMMISSIONER: You were sort of testing yourself, weren't you, in the sense that even though you weren't doing a full training schedule, when you were running, you felt that these drugs were helping you do better than you would without them?

THE WITNESS: Specifically what it did was I was able to train really hard and then I could come back the next day and feel as though I had had two weeks off compared to my normal feelings when I trained.

THE COMMISSIONER: Did you check your times and so on?

THE WITNESS: Yes, the times that I would--

THE COMMISSIONER: I understand. The training times.

THE WITNESS: Training times.

MR. ARMSTRONG:

Q. And did your training times appear to be above par for the kind of condition that you were in?

A. Yes, and each day's increase was significant. You know, greatly significant, more significant than, you know, in previous years.

Q. All right. And did you find that your muscles bulked up from taking the program?

A. Yes. I'm not sure if it was muscle or just, you know, fluid retention, but I did notice my body getting bigger.

5 Q. Then when you would go to see Dr. Astaphan, I take it that from time to time during the course of your weekly visits, he would do some physical examination of you and do some checking of you to see what your condition was?

A. Yes.

10 Q. And was there any lab testing done of you that you can recall during the period of time that you saw him?

15 A. Yes, he tested me right after the end of the first cycle, which I guess would be six weeks after I started the program.

THE COMMISSIONER: He had lab tests made, did he?

20 THE WITNESS: Yes. And when I was ill. I came into him a couple of times when I was ill with the flu and other ailments, and he ran tests at that time as well.

MR. ARMSTRONG:

25 Q. All right, and you mentioned in your statement in fairness to Dr. Astaphan, "He always asked me

how I felt and he was always very alert to any changes in my physical health; is that correct?

A. Yes.

Q. And I just want to assist your
5 recollection on one other point, if I can. This statement
apparently was taken on two days, and on the second day,
on November the 3rd, 1988, you said, "I was not treated by
Dr. Astaphan for any athletic-related injuries. Certainly
not with the type of corticosteroid treatment that was
10 available. I did receive on two occasions medication
through prescription supplied by Dr. Astaphan for an
asthmatic condition, and he would provide me with a
linament for self-administration. He also treated me for
a kidney stone episode," and I take it those are the
15 occasions in which he dealt with your health apart from
the steroid program that you were engaged in?

A. That's correct.

Q. And would it then be fair to say, apart
from the two occasions at which you got medication
20 supplied for the asthmatic condition and linament, and the
linament for self-administration and the treatment for the
kidney stone episode, that all of the rest of your visits
to Dr. Astaphan's office were related to the steroid
program that you were on?

25 A. Yes.

Q. Or in fairness, perhaps as well to the injections of the growth hormone?

A. Yes.

Q. All right. Then you mentioned earlier
5 that your coach was Brian McKinnon?

A. Yes.

Q. And do you recall that on one occasion
when you were attending Dr. Astaphan's office in
connection with this program that you were on, that your
10 coach, Mr. McKinnon, attended Dr. Astaphan's office with
you?

A. Yes.

Q. And indeed he was present, was he not,
when you received one of your injections from Dr.
15 Astaphan?

A. Yes.

Q. And presumably that was sometime
between September the 12th and February the 6th? I don't
know whether you can remember particularly which month it
20 would have been.

A. It was during that time.

Q. All right. And shortly after the
particular visit that Mr. McKinnon, Brian McKinnon your
coach attended with you at Dr. Astaphan's office, do you
25 recall his asking you to obtain for him some of the pink

steroid tablets?

A. Vaguely. I vaguely recall.

Q. And if there is subsequently in this
inquiry evidence to that effect, you would not, I take it,
5 disagree with it?

A. No.

Q. Those, Mr. Commissioner, are all the
questions I have.

THE COMMISSIONER: All right. Could you
10 return tomorrow morning, Mr. Bethune? Is that
satisfactory?

THE WITNESS: Yes.

THE COMMISSIONER: Okay, we will adjourn
until tomorrow morning at 10 o'clock.

15 ---Whereupon the hearing adjourned.

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